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# CHAPTER 9

## TRAFFIC REGULATIONS

### SECTION 9.100 DEFINITIONS

The following words and phrases when used in this chapter shall, for the purpose of this chapter, have the meanings respectively ascribed to them in this section, except when the context otherwise requires. Whenever any words and phrases used herein are not defined herein but are defined in the state laws regulating the operation of vehicles, any such definition therein shall be deemed to apply to such words and phrases used herein, except when the context otherwise requires.

COMMERCIAL VEHICLE. Every vehicle designed, maintained, or used primarily for the transportation of property.

CURB LOADING ZONE. A space adjacent to a curb reserved for the exclusive use of vehicles passengers or materials.

FREIGHT CURB LOADING ZONE. A space adjacent to a curb for the exclusive use of vehicles during the loading or unloading of freight or passengers.

OFFICIAL TIME STANDARD. Whenever certain hours are named herein they shall mean standard time or daylight-saving time as may be in current use in the city.

PASSENGER CURB LOADING ZONE. A place adjacent to a curb reserved for the exclusive use of vehicles during the loading or unloading of passengers.

POLICE OFFICER. Every officer of the municipal police department or any officer authorized to direct or regulate traffic or to make arrests for violations of traffic regulations.

TRAFFIC DIVISION. The traffic division of the police department of this city, or in the event a traffic division is not established, then said term whenever used herein, shall be deemed to refer to the police department of this city.

### SECTION 9.200 TRAFFIC ADMINISTRATION

#### 9.201 DUTY OF TRAFFIC DIVISION

It shall be the duty of the traffic division, with such aid as may be rendered by other members of the police department, to enforce the street traffic regulations of this city and all of the state vehicle laws; to make arrests for traffic violations; to investigate accidents and to cooperate with the director of planning and other officers of the city in the administration of the traffic laws and in developing ways and means to improve traffic conditions; and to carry out those duties specially imposed upon said division by this chapter and the traffic ordinances of this city.

**9.202 TRAFFIC DIVISION TO INVESTIGATE ACCIDENTS**

It shall be the duty of the traffic division, assisted by other police officers of the department, to investigate traffic accidents, to arrest and to assist in the prosecution of those persons charged with violations of law causing or contributing to such accidents.

**9.203 TRAFFIC ACCIDENT STUDIES**

Whenever the accidents at any particular location become numerous, the traffic division shall cooperate with the director of planning in conducting studies of such accidents and determining remedial measures.

**9.204 TRAFFIC ACCIDENT REPORTS**

The traffic division shall maintain a suitable system of filing traffic accident reports. Accident reports or cards referring to them shall be filed alphabetically by location. Such reports shall be available for the use and information of the director of planning.

**9.205 EMERGENCY AND EXPERIMENTAL REGULATIONS**

- (1) The chief of police, by and with the approval of the director of planning, is hereby empowered to make regulations necessary to make effective the provisions of the traffic ordinances of this city and to make and enforce temporary or experimental regulations to cover emergencies or special conditions. No such temporary or experimental regulation shall remain in effect for more than ninety (90) days.
- (2) The director of planning may test traffic control devices under actual conditions of traffic.

**SECTION 9.300 ENFORCEMENT****9.301 AUTHORITY OF POLICE AND FIRE DEPARTMENT OFFICIALS**

- (1) It shall be the duty of the officers of the police department or such officers as are assigned by the chief of police to enforce all street traffic laws of this city and all of the state vehicle laws.
- (2) Officers of the police department or such officers as are assigned by the chief of police are hereby authorized to direct all traffic by voice, hand, or signal in conformance with traffic laws; provided that, in the event of a fire or other emergency or to expedite traffic or to safeguard pedestrians, officers of the police department may direct traffic as conditions may require notwithstanding the provisions of the traffic laws.

- (3) Officers of the fire department, when at the scene of a fire, may direct or assist the police in directing traffic thereat or in the immediate vicinity.

#### 9.302 ADOPTION OF UNIFORM ACT

Title 7, Texas Transportation Code, V.T.C.A., regulating vehicles and traffic within the State of Texas is hereby adopted as heretofore and hereafter amended, and said provisions shall be in full force and effect upon all thoroughfares, streets, roads, and alleys within the city.

(Ordinance No. G-96-03-28-12G of March 28, 1996)

#### 9.303 REQUIRED OBEDIENCE TO TRAFFIC ORDINANCE

It is unlawful and a misdemeanor for any person to do any act forbidden or fail to perform any act required in this chapter.

#### 9.304 OBEDIENCE TO POLICE DEPARTMENT OFFICIALS

No person shall willfully fail or refuse to comply with any lawful order or direction of a police officer.

#### 9.305 CERTAIN NON-MOTORIZED TRAFFIC TO OBEY TRAFFIC REGULATIONS

- (1) Every person propelling any push cart upon a roadway shall be granted all of the rights and shall be subject to all of the duties applicable to the driver of a vehicle by this chapter and by the rules of the road portion of the state traffic laws, except those provisions which by their very nature have no application.
- (2) Every person riding an animal or driving any animal-drawn vehicle upon a roadway shall be granted all of the rights and shall be subject to all of the duties applicable to the driver of a vehicle by this chapter, except those provisions of this chapter which by their very nature can have no application.

#### 9.306 PUBLIC EMPLOYEES TO OBEY TRAFFIC REGULATIONS

The provisions of this chapter shall apply to the drivers of all vehicles owned or operated by the United States, this state, or any county, town, district, or any other political subdivision of the state, subject to such specific exceptions as are set forth in this chapter or in the state traffic laws.

#### 9.307 AUTHORIZED EMERGENCY VEHICLES

- (1) The driver of an authorized emergency vehicle, when responding to an

emergency call or when in the pursuit of an actual or suspected violator of the law, or when responding to but not upon returning from a fire alarm, may park or stand, irrespective of the provisions of this chapter.

- (2) The foregoing provision shall not relieve the driver of an authorized emergency vehicle from the duty to park or stand with due regard for the safety of all persons, nor shall such provision protect the driver from the consequences of his reckless disregard for the safety of others.

#### 9.308 WRITTEN REPORT OF ACCIDENT

The driver of a vehicle which is in any manner involved in an accident resulting in bodily injury to or death of any person or total damage to all property to an apparent extent of five hundred dollars (\$500.00) or more shall, within ten (10) days after such accident, forward to the police department a written report of such accident or a copy of any report filed with the Texas Department of Public Safety. The provisions of this section shall not be applicable when the accident has been investigated at the scene by a police officer while such driver was present thereat.

#### 9.309 WHEN DRIVER UNABLE TO REPORT

Whenever the driver is physically incapable of making a written report of an accident as required in subsection 9.308 of this section, and such driver is not the owner of the vehicle, then the owner of the vehicle involved in such accident shall, within ten (10) days after the accident, make such report not made by the driver.

### **SECTION 9.400      TRAFFIC CONTROL DEVICES**

#### 9.401 AUTHORITY TO INSTALL TRAFFIC CONTROL DEVICES

The director of planning shall place and maintain official traffic control signs, signals, and devices when and as required under the traffic ordinances of this city to make effective the provisions of said ordinances, and may place and maintain such additional official traffic control devices as he may deem necessary to regulate, warn, or guide traffic under the traffic ordinances of this city or the state traffic laws.

#### 9.402 MANUAL AND SPECIFICATIONS FOR TRAFFIC CONTROL DEVICES

All traffic control signs, signals, and devices shall conform to the Texas Manual on Uniform Traffic Control Devices for Streets and Highways, and specifications approved by the council. All signs and signals required hereunder for a particular purpose shall, so far as practical, be uniform as to type and location throughout the city. All traffic control devices heretofore erected and not inconsistent with the provisions of state law or this chapter shall be official traffic control devices.

#### 9.403 OBEDIENCE TO OFFICIAL TRAFFIC CONTROL DEVICES

The driver of any vehicle shall obey the instructions of any traffic control device applicable thereto placed in accordance with the provisions of this chapter, unless otherwise directed by a traffic or police officer, subject to the exceptions granted the driver of an authorized emergency vehicle.

#### 9.404 WHEN OFFICIAL TRAFFIC CONTROL DEVICES REQUIRED FOR ENFORCEMENT PURPOSES

No provision of this chapter for which official traffic control devices are required shall be enforced against an alleged violator if at the time and place of the alleged violation, an official device is not in proper position and sufficiently legible to be seen by an ordinarily observant person. Whenever a particular section does not state that official traffic control devices are required, such section shall be effective even though no devices are erected or in place.

#### 9.405 OFFICIAL TRAFFIC CONTROL DEVICES - PRESUMPTION OF LEGALITY

- (1) Whenever official traffic control devices are placed in position approximately conforming to the requirements of this chapter, such devices shall be presumed to have been so placed by the official act or direction of lawful authority, unless the contrary shall be established by competent evidence.
- (2) Any official traffic control device placed pursuant to the provisions of this chapter and purporting to conform to the lawful requirements pertaining to such devices shall be presumed to comply with the requirements of this chapter, unless the contrary shall be established by competent evidence.

#### 9.406 TRAFFIC CONTROL SIGN INVENTORY

An inventory of all traffic control signs installed shall be maintained by the city. The inventory shall show the location of each sign, date of installation, and other pertinent information applicable to each sign. Future installations, removals, or maintenance of the traffic control devices shall be entered in the inventory as they occur.

(Ordinance No. 755 of August 14, 1980)

#### 9.407 RATIFICATION OF EXISTING TRAFFIC CONTROL DEVICES

All traffic control signs, signals, devices and markings placed or erected prior to the adoption of this Code and in use for the purpose of regulating, warning or guiding traffic are hereby affirmed, ratified and declared to be official traffic control devices, provided such traffic control devices are not inconsistent with the provisions of this chapter or state law.



(Ordinance No. 585 of February 22, 1979)

## **SECTION 9.500      SPEED REGULATIONS**

### **9.501    GENERAL SPEED LIMITS**

- (1) It shall hereafter be unlawful for any person to drive or operate a motor vehicle upon any street, roadway, or highway in the city limits, at a speed greater than reasonable and prudent under the conditions then existing, having regard to the actual and potential hazards when approaching and crossing an intersection or railway grade or crossings, when approaching and going around a curve, when approaching a hill crest, when traveling upon any narrow or winding roadway, or when special hazard exists with respect to pedestrians or other traffic or by reason of weather or highway conditions; and in every event, speed shall be so controlled as may be necessary to avoid colliding with any person, vehicle, or other conveyance on or entering the highway in compliance with legal requirements and the duty of all persons to use due care.
- (2) All of the streets of this city, and all portions of any such streets, are hereby declared to be public streets and the driving or operating of any motor vehicle on or along any portion of any street of this city at a rate of speed that is greater than the maximum rate of speed for said portion of said street, as fixed by this section and the schedules contained herein shall be guilty of a misdemeanor. The use of the word "speeding" shall be sufficient to designate the said offense, and shall mean that a motor vehicle has been driven upon a public street, at a greater rate of speed than that fixed by city ordinance for the street and for the zone thereof that such motor vehicle was so being driven upon, if zoned.
- (3) In prosecution under this section for offense of speeding, the complaint, if in other respects sufficient in form, shall as to the portion thereof seeking to acknowledge the offense, be sufficient if it in substance alleges that the defendant did while driving a motor vehicle in said city commit the offense of "speeding."

(Ordinance No. 957 of May 13, 1982)

### **9.502    SPECIFIED SPEED LIMITS**

The state traffic laws regulating the speed of vehicles shall be applicable upon all streets within this city, except as this section, as authorized by state law, hereby declares and determines upon the basis of an engineering and traffic investigation that certain speed regulations shall be applicable upon specified streets or in certain areas in which event it shall be unlawful for any person to drive a vehicle at a speed in excess of any speed so declared in this section when signs are in place giving notice thereof. The maximum speed limit shall be set forth upon those streets or portions thereof as follows:

- (1) The maximum prima facie speed limit shall be fifteen (15) miles per hour along the following streets:

ON	FROM	TO
Nash Street north and southbound	275' west of Mandell St.	195' southeast of Bellview Ave.

(Ordinance No. 2228 of April 24, 1986)

Harrell Parkway	a point 300' south of the centerline of Chandler Creek	a point 280' north of the centerline of Chandler Creek
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(Ordinance No. 2464 of March 8, 1990)

- (2) The maximum prima facie speed limit shall be twenty (20) miles per hour along the following streets:

ON	FROM	TO
Mills Meadow north and southbound	Bayland St.	London Rd.
Bayland St. east and westbound	Provident Lane	Mills Meadow
Provident Lane north and southbound	Wroxton Way	a point 502' north of Wayne Drive

(Ordinance No. G-96-04-11-12B of April 11, 1996 as amended by Ordinance No. G-00-01-27-12D2 of January 27, 2000)

Anderson, westbound	Mays	Summit
Deerfoot Dr. east and westbound	Burnet St.	Entrance Lake Creek Park
Dove Haven Dr. north and southbound	Quail Creek Road	Entrance of Lake Creek Park
Cushing north and southbound	Gattis School Road	Logan St.

(Ordinance No. 755 of August 14, 1980)

<u>ON</u>	<u>FROM</u>	<u>TO</u>
Frontier Drive north and southbound	Lasso Dr.	Chisolm Valley
(Ordinance No. 2004 of May 26, 1983)		
Nicole Circle	Bowman Dr.	Braddock Lane
(Ordinance No. 2116 of May 24, 1984)		
Creekview Drive	Oakridge Drive	Deepwood Drive
This speed limit will change back to 30 MPH upon completion of a sidewalk from Deepwood Drive to Oakridge Drive.		
(Ordinance No. 2309 of November 24, 1987)		
Park Lane	For its full length	
(Ordinance No. 2422 of July 27, 1989)		
Lee Street north and southbound	a point 350' north of its intersection with Anderson Ave.	the center of Brush Creek
Summit Street north and southbound	the center of Brushy Creek	its intersection with Vista Ave.
(Ordinance No. 2457. of February 8, 1990)		
Aten Loop	Harrell Pkwy	County Road 113
Walton Way	For its entire length	
(Ordinance No. 2464 of March 8, 1990)		
(3) The maximum prima facie speed limit shall be twenty five (25) miles per hour along the following streets:		
<u>ON</u>	<u>FROM</u>	<u>TO</u>
Chisholm Trail north and southbound	FM 620	Sam Bass Road
(Ordinance No. 2197 of September 26, 1985 as amended by Ordinance No. 2228 of April 24, 1986)		

ON	FROM	TO
Double File eastbound	Sunrise Road	Wilderness Path
(Ordinance No. 2215 of February 13, 1986)		
Harrell Parkway	East Palm Valley Boulevard	a point 300' south of the centerline of Chandler Creek
Harrell Parkway	from a point 280' north of centerline of Chandler Creek	County Road 113

(Ordinance No. 2464 of March 8, 1990 as amended by Ordinance No. G-97-10-09-9D of October 9, 1997)

Main Street (eastbound)	Mays Street	Sheppard Street
Main Street (westbound)	Sheppard Street	Mays Street

(Ordinance No. G-94-06-23-8B of June 23, 1994)

- (4) The maximum prima facie speed limit shall be thirty (30) miles per hour along the following streets:

ON	From	TO
Business Loop 35 (Mays Street) northbound	Milepoint 12.274	Milepoint 11.668
Business Loop 35 (Mays Street) southbound	Milepoint 11.668	Milepoint 12.274

(Ordinance No. 2320 of February 11, 1988)

Williamson Dr. eastbound	East of IH-35 frontage road	Nottinghamhill Road
Williamson Dr. westbound	West of Nottinghamhill Road	IH-35 frontage Road

(Ordinance No. 2211 of December 12, 1985)

ON	FROM	TO
Greenhill east and westbound	West intersection of East Horizon and Greenhill	East intersection of East Horizon and Greenhill
East Horizon Blvd.	U.S. 81 - Greenhill Dr.	675' east of the east intersection of Greenhill and East Horizon Blvd.

(Ordinance No. 2234 of May 22, 1986)

Windy Park Drive southbound	Gattis School Road	101' south of Parkfield Circle
Windy Park Drive northbound	Gattis School	101' south of Parkfield Circle
Hampton Lane (NE)	Windy Park Drive	525' West of Windy Park Drive

(Ordinance No. 2241 of July 10, 1986)

- (5) The maximum prima facie speed limit shall be thirty five (35) miles per hour along the following streets:

ON	FROM	TO
Bowman Dr. east and westbound	Highway 81	County Rd. 115

(Ordinance No. 755 of August 14, 1980 as amended by Ordinance No. 2228 of April 24, 1986)

Gattis School Road east and westbound	Greenlawn Boulevard	City Limits
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(Ordinance No. 2004 of May 26, 1983)

Gattis School Road east and westbound	South Mays Street	A point one hundred-fifty (150') feet east of Surrey Drive
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(Ordinance No. 2534, Section III, of May 23, 1991)

ON	FROM	TO
Sam Bass Rd. east and westbound	IH35	City Limits
Chisholm Trail north and southbound	Sam Bass Rd.	City Limits
(Ordinance No. 755 of August 14, 1980)		
FM Highway 620 (Round Rock Ave.) eastbound	Milepoint 9.982	Milepoint 10.309
FM highway 620 (Round Rock Ave.) westbound	Milepoint 10.309	Milepoint 9.982
(Ordinance No. 777 of December 23, 1980)		
Sunrise Rd. (County Rd. 115) north and southbound	U.S. Highway 79	East Old Settlers Boulevard
(Ordinance No. 2076 of November 10, 1983 as amended by Ordinance No. G-97-09-25-12C of September 25, 1997 and Ordinance No. G-97-10-09-9D of October 9, 1997)		
U.S. 79 eastbound	Milepoint 7.782	Milepoint 7.333
U.S. 79 westbound	Milepoint 7.333	Milepoint 7.782
(Ordinance No. 2251 of September 25, 1986)		
Business Loop 35 (Mays Street) northbound	Milepoint 13.585	Milepoint 13.289
Business Loop 35 (Mays Street) southbound	Milepoint 13.289	Milepoint 13.585
(Ordinance No. 2320 of February 11, 1988)		
Deepwood Drive north and southbound	FM Highway 620	360' north of Oakridge Drive
(Ordinance No. 2372 of November 22, 1988)		

ON	FROM	TO
Greenlawn Boulevard north and southbound	Gattis School Road	A point 185' south of its intersection with Stratford Drive

(Ordinance No. G-97-03-13-9A of March 13, 1997)

Hesters Crossing east and westbound	IH-35 southbound frontage road	A point 200' west of Kouri Avenue
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(Ordinance No. G-01-09-13-14F3 of September 13, 2001)

Dell Way	Greenlawn Boulevard	South Mays
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(Ordinance No. G-05-04-14-13A2 of April 14, 2005 as amended by Ordinance No. G-05-07-28-10D2 of July 28, 2005)

- (6) The maximum prima facie speed limit shall be forty (40) miles per hour along the following streets:

ON	FROM	TO
FM Highway 620 westbound	Station 509+ 29.81	Station 490+ 00
FM Highway 620	Station 490+ 00	Station 509+ 29.81

(Ordinance No. 763 of September 11, 1980)

FM Highway 620 westbound	Milepoint 9.845	Milepoint 9.982
FM Highway 620 westbound	Milepoint 9.982	Milepoint 9.845

(Ordinance No. 777 of December 23, 1980)

Old Settlers Boulevard (east and westbound)	North Mays Street	a point 1000' east of Lamar Boulevard
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(Ordinance No. 2306 of November 12, 1987 as amended by Ordinance No. G-97-10-09-9D of October 9, 1997 as amended by Ordinance No. G-00-01-27-12D1 of January 27, 2000)

Gattis School Road east and westbound	A point one hundred-fifty (150') feet east Surrey Drive	A point one hundred (100') feet east of Double Creek Drive
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(Ordinance No. 2534 of May 23, 1991)

ON	FROM	TO
Business Loop 35 (Mays Street) northbound	Milepoint 11.668	Milepoint 11.251
Business Loop 35 (Mays Street) southbound	Milepoint 11.251	Milepoint 11.668

(Ordinance No. 2320 of February 11, 1988)

Business loop 35 (East Old Settlers Blvd.) east and westbound	Mays Street	Milepoint 10.000
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(Ordinance No. 2333 of April 14, 1988 as amended by Ordinance No. G-97-10-09-9D of October 9, 1997)

Business Loop 35 (Mays Street) north and southbound	Milepoint 12.274	Milepoint 13.289
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(Ordinance No. 2334 of April 14, 1988)

McNeil Road east and westbound	East abutment of the bridge crossing Lake Creek	A point four hundred (400) feet west of Oakridge Drive
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(Ordinance No. 2503 of September 27, 1990)

Greenlawn Blvd. north and southbound	A point 185' south of its intersection with Stratford Drive	Louis Henna Boulevard
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(Ordinance No. 2562 of January 23, 1992 as amended by Ordinance No. G-97-03-13-9A of March 13, 1997)

Sunrise Road north and southbound	East Old Settlers Boulevard	a point 508' north of its intersection with Lake Drive
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(Ordinance No. G-97-09-25-12C of September 25, 1997 as amended by Ordinance No. G-97-10-09-9D of October 9, 1997)



<u>ON</u>	<u>FROM</u>	<u>TO</u>
Dell Center Boulevard north and southbound	Greenlawn Boulevard	0.518 miles east of IH 35 East Frontage Road

(Ordinance No. G-98-02-12-12D of February 12, 1998)

Parker Drive both directions	F.M. 1325	IH-35 West Frontage Road
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(Ordinance No. G-98-05-14-9A2 of May 14, 1998)

Wyoming Springs Drive (both directions)	R.M. 620	980' north of Park Valley Boulevard
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(Ordinance No. G-00-01-27-12D3 of January 27, 2000)

Forest Creek Drive east and westbound	Double Creek Drive	Rusk Road
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(Ordinance No. G-06-08-10-9C2 of August 10, 2006)

Double Creek Drive	Gattis School Road	Sweetgum Lane
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(Ordinance No. G-07-04-26-11C2 of April 26, 2007)

Creek Bend Drive (both directions)	FM 3406	West End Place
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(Ordinance No. G-07-11-20-10A1 of November 20, 2007)

- (7) The maximum prima facie speed limit shall be forty five (45) miles per hour along the following streets:

<u>ON</u>	<u>FROM</u>	<u>TO</u>
IH 35 East Frontage Road northbound	Station 1436+ 10	Station 1411+ 25.4
IH 35 East Frontage Road southbound	Station 1411+ 25.4	Station 1436+ 00
IH 35 West Frontage Road northbound	Station 1436+ 00	Station 1395+ 00

<u>ON</u>	<u>FROM</u>	<u>TO</u>
IH 35 West Frontage Road southbound	Station 1395+ 00	Station 1436+ 00
IH 35 crossover westbound	Station 11.47.3	Station 26.68.72
IH 35 crossover eastbound	Station 26.68.72	Station 11.47.3
FM Hwy. 620 westbound	Station 490+ 00	Station 466+ 00
FM Hwy. 620	Station 466+ 00	Station 490+ 60

(Ordinance No. 755 of August 14, 1980 as amended by Ordinance No. 2228 of April 24, 1986, Ordinance No. 2251 of September 25, 1986 and Ordinance No. 2256 of November 13, 1986)

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Loop 384 (May St./ Business U.S. Hwy. 81) northbound	Station 151+ 00	Station 198+ 00
Loop 384 (Mays St./ Business U.S. Hwy. 81) southbound	Station 198+ 00	Station 151+ 00
East Frontage Rd. of IH-35	South City Limit of City Round Rock at milepoint 2.948	Milepoint 3.279
West Frontage Rd. of IH-35	Milepoint 3.279	South City Limit of City of Round Rock at milepoint 2.948

(Ordinance No. 2149 of February 14, 1985)

U.S. 79 eastbound	Milepoint 7.333	Milepoint 6.458
U.S. 79 westbound	Milepoint 6.458	Milepoint 7.333

(Ordinance No. 2251 of September 25, 1986)

Business Loop 35 (Mays Street) northbound	Milepoint 11.251	East Old Settlers Blvd.
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ON	FROM	TO
Business Loop 35 (Mays Street) southbound	East Old Settlers Blvd.	Milepoint 11.251
(Ordinance No. 2320 of February 11, 1988 as amended by Ordinance No. G-97-10-09-9D of October 9, 1997)		
University Boulevard east and westbound	IH-35	Sunrise Road
(Ordinance No. 2370 of November 22, 1988 as amended by Ordinance No. G-03-10-09-12B1 of October 9, 2003 and Ordinance No. G-06-01-26-9B1 of January 26, 2006)		
McNeil Road east and westbound	A point four hundred (400) feet west of Oakridge Drive	City Limits
(Ordinance No. 2503 of September 27, 1990)		
Gattis School Rd. east and westbound	A point one hundred (100) feet east of Double Creek Drive	City Limits
(Ordinance No. 2534 of May 23, 1991)		
High Country Boulevard north and southbound	Gattis School Road	City Limits (0.402 miles south of Gattis School Road)
(Ordinance No. G-98-02-12-12C of February 12, 1998)		
Dell Center Boulevard north and southbound	IH 35 East Frontage Road	0.518 miles east of IH 35 East Frontage Road
(Ordinance No. G-98-02-12-12D of February 12, 1998)		
Old Settlers Boulevard east and westbound	a point 1000' east of Lamar Boulevard	a point 750' east of Sunrise Road
(Ordinance No. G-00-01-27-12D1 of January 27, 2000)		
Double Creek Drive north and southbound	Gattis School Road	Louis Henna Boulevard
(Ordinance No. G-00-04-27-11E3 of April 27, 2000)		

<u>ON</u>	<u>FROM</u>	<u>TO</u>
Hesters Crossing	County Road 172	A point 200' west of Kouri Avenue

(Ordinance No. G-01-09-13-14F3 of September 13, 2001)

SH-45 Frontage Road westbound	Station No. 496+ 69.34	Station No. 10643+ 50.39
SH-45 Frontage Road eastbound	Station No. 509+ 20.68	Station No. 40644+ 22.88

(Ordinance No. G-02-09-26-10C2 of September 26, 2002)

A.W. Grimes Boulevard north and southbound	Gattis School Road	Louis Henna Boulevard
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(Ordinance No. G-03-06-12-9C3 of June 12, 2003)

A.W. Grimes Boulevard north and southbound	Gattis School Road	Lake Creek
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(Ordinance No. G-05-02-10-11A1 of February 10, 2005)

Old Settlers Boulevard east and westbound	a point 750' east of Sunrise Road	A.W. Grimes Boulevard
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(Ordinance No. G-05-03-24-11C3 of March 24, 2005)

Old Settlers Boulevard east and westbound	A. W. Grimes Boulevard	Red Bud Lane
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(Ordinance No. G-05-03-24-11C4 of March 24, 2005 as amended by Ordinance No. G-06-10-12-10A1 of October 12, 2006, Ordinance No. G-07-04-26-11B1 of April 26, 2007, and Ordinance No. G-07-06-28-10C9 of June 28, 2007)

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- (8) The maximum prima facie speed limits shall be fifty (50) miles per hour along the following streets:

<u>ON</u>	<u>FROM</u>	<u>TO</u>
A.W. Grimes Boulevard northbound	Milepoint 7.065	Milepoint 6.739
A.W. Grimes Boulevard southbound	Milepoint 6.739	Milepoint 7.065

(Ordinance No. 2444 of December 28, 1989 as amended by Ordinance No. G-07-04-26-11B1 of April 26, 2007)

<u>ON</u>	<u>FROM</u>	<u>TO</u>
East Frontage Rd. of IH-35	Milepoint 0.516	Milepoint 3.279
West Frontage Rd. of IH-35	Milepoint 3.217	Milepoint 0.259

(Ordinance No. 2543 of August 8, 1991)

Sunrise Road north and southbound	a point 508' north of its intersection with Lake Drive	University Boulevard
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(Ordinance No. G-97-09-25-12C of September 25, 1997 as amended by Ordinance No. G-06-01-26-9B1 of January 26, 2006)

FM 3406 east and westbound	Milepoint 5.139 (IH-35 West Frontage Road)	Milepoint 7.092 (City Limit line west of IH-35)
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(Ordinance No. G-02-03-26-8A3 of March 26, 2002 as amended by Ordinance No. G-03-09-11-9C2 of September 11, 2003)

- (9) The maximum prima facie speed limit shall be fifty five (55) miles per hour along the following streets:

<u>ON</u>	<u>FROM</u>	<u>TO</u>
University Boulevard east and westbound	IH-35	City Limits

(Ordinance No. 2370 of November 22, 1988 as amended by Ordinance No. G-06-01-26-9B1 of January 26, 2006)

Ranch Road 620 westbound	Station 466+ 00  364	Round Rock City Limits  Supplement No. 22
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ON	FROM	TO
Ranch Road 620 eastbound	Round Rock City Limits	Station 466+ 00
(Ordinance No. 2317 of January 28, 1988)		
U.S. Hwy. 79 eastbound	Milepoint 6.458	East City Limit
U.S. Hwy. 79	East City Limit	Milepoint 6.458
(Ordinance No. 2251 of September 25, 1986)		
A.W. Grimes Boulevard northbound	Milepoint 8.437	Milepoint 7.065
A.W. Grimes Boulevard northbound	Milepoint 6.739	Milepoint 6.571
A.W. Grimes Boulevard southbound	Milepoint 6.571	Milepoint 6.739
A.W. Grimes Boulevard southbound	Milepoint 7.065	Milepoint 8.437
(Ordinance No. 2444 of December 28, 1989 as amended by Ordinance No. G-07-04-26-11B1 of April 26, 2007)		
East Frontage Rd. of IH-35	South City Limit at Milepoint 2.845	Milepoint 0.516
West Frontage Rd. of IH-35	North City Limit at Milepoint 6.876	Milepoint 3.217
East Frontage Rd. of IH-35	Milepoint 3.279 at Milepoint 6.876	North City Limit
West Frontage Rd. of IH-35	Milepoint 0.259 at Milepoint 2.845	South City Limit
(Ordinance No. 2543 of August 8, 1991)		
SH-45 Frontage Road	Station No. 40644+ 22.88	Donnell Drive
(Ordinance No. G-02-09-26-10C1 of September 26, 2002)		
(10)	The maximum prima facie speed limit shall be sixty-five (65) miles per hour along the following streets:	

ON	FROM	TO
IH-35 (Main Lanes) northbound	South City Limit of Round Rock	North City Limit of Round Rock
IH-35 (Main Lanes) southbound	North City Limit of Round Rock	South City Limit of Round Rock

(Ordinance No. 2316 of January 14, 1988)

- (11) The maximum prima facie speed limit shall be ten (10) miles per hour along the following alleys:

ON	FROM	TO
The Public Alley between Greenlawn Boulevard and Southwestern Trail southbound	Zephyr Lane	Stratford Drive

#### 9.503 SCHOOL ZONES

The City hereby designates school zones on certain streets listed below. A maximum speed limit is established as shown on the following table on regularly scheduled school days within the zone when a sign is posted with the hours of operation, or when a sign is posted with a flashing light giving notice thereof. Those streets and zone boundaries described in the following table are declared to be school zones for the purpose of this section.

STREET	FROM	TO	SPEED ZONE	SPEED ZONE TIMES	ORDINANCE NUMBER
Anderson Avenue, West	North Mays Street	Lee Street	20	7:00-8:45 am 2:30-4:30 pm	G-03-08-14-13E1
Behrens Parkway	Stonecreek Drive	Goldenoak Circle	20	7:00-8:00 am 2:30-4:00 pm	G-05-03-24-11C5
Bowman Drive	50' west of Mesa Park Drive	Buckeye Lane	20	7:00-9:30 am 2:30-4:30 pm	G-03-08-14-13E1
University Boulevard	670' west of Orion Street	630' east of Eagles Nest Street	30	7:00-8:00 am 2:30-4:00 pm	G-03-08-14-13E1, G-06-01-26-9B1



Chaparral Drive	Woods Boulevard	Blackjack Drive	20	7:00-8:00 am 2:30-4:00 pm	G-03-08-14-13E1
Chisholm Valley Drive	130' east of Christopher Avenue	250' east of St. Williams Street	20	7:00-8:00 am 2:30-4:00 pm	G-03-08-14-E1
Cougar Lane	Deepwood Drive	Oakridge Drive	20	8:00-8:45 am 3:15-4:30 pm	G-03-08-14-E1
Creek Bend Boulevard	400' south of FM 3406	195' south of Creek Bend Circle	20	7:00-8:00 am 2:30-4:00 pm	G-03-08-14-E1
Cushing Drive	Logan Street	Gattis School Road	20	7:00-8:00 am 2:30-4:00 pm	G-03-08-14-E1
Deepwood Drive	St. Williams Avenue	Lake Creek Drive	20	7:00-8:00 am 2:30-4:00 pm	G-03-08-14-E1
Eagles Nest Street	50' south of Terra Street	University Boulevard	20	7:00-8:00 am 2:30-4:00 pm	G-03-08-14-E1, G-06-01-26-9B1
FM 3406	Milepoint 6.158 (689.6' east of Plantation Drive)	Milepoint 6.614 (686.4' west of Plantation Drive)	35	7:00-8:00 am 2:30-4:00 pm	G-03-08-14-E1, G-03-09-11-9C1
Fern Springs Drive	Via Sonoma Trail	Lake Forest Drive	20	7:00-8:45 am 2:30-4:30 pm	G-03-08-14-E1
Forest Creek Drive	Red Bud Lane (County Road 122)	Turnberry Lane	20	7:00-8:00 am 2:30-4:00 pm	G-03-08-14-E1
Gattis School Road	155' east of South Mays Street	Magnolia Drive	20	7:00-8:00 am 2:30-4:00 pm	G-03-08-14-E1
Gattis School Road	400' west of Via Sonoma Trail	500' east of Bradford Park Drive	20	7:00-8:45 am 2:30-4:30 pm	G-03-08-14-E1
Goldenoak Circle	Behrens Parkway	171' west of Wyomings Springs Drive	20	7:00-8:00 am 2:30-4:00 pm	G-05-03-24-11C5

Gulf Way Drive	Settlement Drive	1,275' east of Sandy Brook Drive	20	7:00-8:45 am 2:30-4:30 pm	G-03-08-14-E1, G-03-11-25-11D1
Harvey Penick Drive	Forest Creek Drive	600' south of Forest Creek Drive	20	7:00-8:00 am 2:30-4:00 pm	G-03-08-14-E1
Harvey Penick Drive	Forest Creek Drive	Norman Loop	20	7:00-8:00 am 2:30-4:00 pm	G-03-08-14-E1
Lake Creek Drive	RM Highway 620	Glenda Drive	20	7:30-9:30 am 3:45-4:30 pm	G-03-08-14-E1
Lawnmont Drive	250' south of School Days Lane	375' north of School Days Lane	20	7:00-8:00 am 2:30-4:00 pm	G-03-08-14-E1
Lee Street	West Anderson Avenue	350' north of West Anderson Avenue	20	7:00-8:45 am 2:30-4:30 pm	G-03-08-14-E1
Logan Street	205' east of South Mays Street	180' east of Garden Court	20	7:00-8:00 am 2:30-4:00 pm	G-03-08-14-E1
Mays Street (Business Loop 35)	Milepoint 11.981	Milepoint 11.833	20	7:00-8:45 am 2:30-4:30 pm	G-03-08-14-E1
Mesa Park Drive	530' north of the centerline of Wayne Drive	565' south of the centerline of Wayne Drive	20	7:00-9:30 am 2:30-4:30 pm	G-03-08-14-E1
Oakridge Drive	Deepwood Drive	Scenic Loop	20	8:00-8:45 am 3:15-4:30 pm	G-03-08-14-E1
Orion Street	106' south of Terra Street	University Boulevard	20	7:00-8:00 am 2:30-4:00 pm	G-03-08-14-E1, G-06-01-26-9B1

Parkview Drive	St. Williams Loop	Round Rock West Drive	20	7:00-8:00 am 2:30-4:00 pm	G-03-08-14-E1
Plantation Drive	Creek Bend Boulevard	FM 3406	20	7:00-8:00 am 2:30-4:00 pm	G-03-08-14-E1
RM Highway 620, Eastbound	Station 466+ 00	Station 490+ 60	35	7:30-9:30 am 3:45-4:30 pm	G-03-08-14-E1
RM Highway 620, Westbound	Station 490+ 00	Station 466+ 00	35	7:30-9:30 am 3:45-4:30 pm	G-03-08-14-E1
Round Rock Ranch Boulevard	150' north of its western intersection with Gattis School Road	Pecos Valley Cove	20	7:00-8:00 am 2:30-4:00 pm	G-03-08-14-E1
Sam Bass Road	700' west of Creek Bend Boulevard	700' east of Creek Bend Boulevard	20	7:00-8:00 am 2:30-4:00 pm	G-03-08-14-E1
Sandy Brook Drive	Gulf Way	920' north of Gulf Way	20	7:00-8:45 am 2:30-4:30 pm	G-05-06-23-13D2
Satellite View Street	110' east of Orion Street	220' west of Eagles Nest Street	20	7:00-8:00 am 2:30-4:00 pm	G-03-08-14-E1
School Days Lane	Lawnmont Drive	Cushing Drive	20	7:00-8:00 am 2:30-4:00 pm	G-03-08-14-E1
Sunrise Road	100' south of Mesa Park Drive	200' north of Country Aire Drive	20	7:00-9:30 am 2:30-4:30 pm	G-03-08-14-E1
St. Williams Avenue	Deepwood Drive	Walsh Lane	20	7:00-8:00 am 2:30-4:00 pm	G-03-08-14-E1
Via Sonoma Trail	200' north of Gattis School Road	1730' north of Gattis School Road	20	7:00-8:45 am 2:30-4:30 pm	G-03-08-14-E1

Wayne Drive	Sunrise Road	150' west of the centerline of Mesa Park Drive	20	7:00–9:30 am 2:30–4:30 pm	G-03-08-14-E1
Woods Boulevard	Chaparral Drive	Cedar Bend Drive	20	7:00–8:00 am 2:30–4:00 pm	G-03-08-14-E1
Wyoming Springs Drive	285' south of Behrens Parkway	300' north of GoldenOak Circle	20	7:00–8:00 am 2:30–4:00 pm	G-05-03-24-11C5

#### 9.504 TEMPORARY CONSTRUCTION SPEED ZONES

- (1) During construction of SH 45, the temporary maximum prima facie speed limit shall be forty-five (45) miles per hour on Louis Henna Boulevard from County Road 170 to Donnell Drive. This temporary speed limit shall expire upon completion of SH 45 from County Road 170 to Donnell Drive, and the maximum prima facie speed limit shall thereafter be fifty-five (55) miles per hour.

(Ordinance No. G-04-07-08-8D2 of July 8, 2004)

**SECTION 9.600      TURNING MOVEMENTS****9.601    AUTHORITY TO PLACE DEVICES ALTERING  
NORMAL COURSE OF TURNS**

The director of planning is authorized to place official traffic control devices within or adjacent to intersections indicating the course to be traveled by vehicles turning at such intersections, and such course to be traveled as so indicated may conform to or be other than as prescribed by law.

**9.602    AUTHORITY TO PLACE RESTRICTED TURN SIGNS**

The director of planning is hereby authorized to determine those intersections at which drivers of vehicles shall not make a right, left, or U-turn, and shall place proper signs at such intersections. The making of such turns may be prohibited between certain hours of any day and permitted at other hours, in which event the same shall be plainly indicated on the signs.

(Ordinance No. 755 of August 14, 1980)

**9.603    SPECIFIC TURNING RESTRICTIONS**

The following turning restrictions have been specifically approved by ordinances:

- (1) Left turns from the north bound lane of U.S. Highway 81 (Loop 384) onto Bagdad Street are prohibited.

(Ordinance No. 778 of December 23, 1980)

- (2) The following intersections are to be controlled with right turn only signs oriented as follows:

<u>ON</u>	<u>AT ITS INTERSECTION WITH</u>
Bagdad Avenue (east & west bound)	U.S. 81 (South Mays)

(Ordinance No. 2127 of July 26, 1984)

- (3) Whenever authorized signs are erected giving notice thereof, all vehicles leaving the parking area situated on the school property at Robertson Elementary School must turn right when entering Bayland Street. This restriction on turning shall be effective only during the hours of 7:00 a.m. and 4:00 p.m. on days when Robertson Elementary School is in session.

(Ordinance No. G-96-04-11-12D of April 11, 1996)

9.604 OBEDIENCE TO NO-TURN SIGNS

Whenever authorized signs are erected indicating that no right or left or U-turn is permitted, no driver of a vehicle shall disobey the directions of any such sign.

9.605 LIMITATIONS ON TURNING AROUND

The driver of any vehicle shall not turn such vehicle so as to proceed in the opposite direction upon any street in a business district and shall not upon any other street so turn a vehicle unless such movement can be made in safety and without interfering with other traffic.

**SECTION 9.700 ONE-WAY STREETS AND ALLEYS**9.701 AUTHORITY TO SIGN ONE-WAY STREETS AND ALLEYS

Whenever any ordinance of this city designates any one-way street or alley, the director of planning shall place and maintain signs giving notice thereof, and no such regulation shall be effective unless such signs are in place. Signs indicating the direction of lawful traffic movement shall be placed at every intersection where movement of traffic in the opposite direction is prohibited.

9.702 ONE-WAY STREETS AND ALLEYS DESIGNATED

Upon those streets and parts of streets and in those alleys described the following schedule, vehicular traffic shall move only in the indicated direction when signs indicating the direction of traffic are erected and maintained at every intersection where movement in the opposite direction is prohibited. When properly posted, traffic shall move only in the direction indicated upon the following streets:

<u>ON</u>	<u>FROM</u>	<u>TO</u>
West Anderson Ave. westbound only	Summit	Mays

(Ordinance No. 755 of August 14, 1980 and Ordinance No. 2248 of September 11, 1986)

West IH-35 Frontage Road southbound only	FM 3406	Sunset Dr.
East IH-35 Frontage Road northbound only	Sunset Dr.	Loop 384 Interchange

(Ordinance No. 959 of May 27, 1982)

Nash St., westbound only

South Mays St.

Mandell St.

(Ordinance No. 2285 of May 14, 1987)

Cougar Lane  
(southbound)

Deepwood Drive

Oakridge Drive

(Ordinance No. 2374 of November 22, 1988)

West IH-35  
Frontage Road  
(southbound only)

Sunset Drive

FM 1325

East IH-35  
Frontage Road  
(northbound only)

County Road 170

Sunset Drive

(Ordinance No. 2382 of December 22, 1988)

West IH-35  
Frontage Road  
(southbound only)

FM 1325

City Limits

West IH-35  
Frontage Road  
(northbound only)

City Limits

FM 1325

(Ordinance No. 2392 of February 9, 1989)

ON	FROM	TO
Park Lane (Southerly Branch) (eastbound only)	2025 feet east of its intersection with Burnet Street	To a point 2175 feet east of its intersection with Burnet Street
Park Lane (Northerly Branch) (westbound only)	2025 feet east of its intersection with Burnet Street	To a point 2150 feet east of its intersection with Burnet Street

(Ordinance No. 2423 of July 27, 1989)

The Public Alley  
between Greenlawn  
Blvd. and Southwestern  
Trail (Southbound)

Zephyr Lane

Stratford Drive

(Ordinance No. 2540 of July 25, 1991)

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**SECTION 9.800      STOP AND YIELD INTERSECTIONS**

The City Council may by ordinance designate any street intersection as a stop intersection and designate the streets upon which vehicles shall stop before entering such intersections. In addition, the city council may designate that traffic on any street shall yield to traffic on an intersecting street. Whenever any intersection has been so designated, the director of planning shall supervise the erection and maintenance of stop signs or yield signs as specified by the city council and maintain an inventory of such signs.

(Ordinance No. 755 of August 14, 1980)

**EDITOR'S NOTE:** Ordinances designating stop and yield intersections have not been included herein.

**SECTION 9.900      TRAFFIC SIGNAL CONTROLLED INTERSECTIONS**

The city council may designate, by ordinance or agreement with the State Department of Highways and Public Transportation, intersections at which traffic shall be controlled by electronic traffic control lights or signals. Whenever any intersection has been so designated, the director of planning shall supervise the erection and maintenance of traffic control signals or lights as specified by the state or city council and maintain an inventory of such signs.

(Ordinance No. 755 of August 14, 1980)



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**EDITOR'S NOTE:** Ordinances and agreements designating traffic signal controlled intersections have not been included herein.

#### **SECTION 9.1000 CROSSWALKS, SAFETY ZONES, AND TRAFFIC LANES**

The director of planning is hereby authorized to supervise the designation and maintenance, by appropriate devices, markings or lines upon the surface of the roadway, crosswalks at any intersection where, in his opinion, there is particular danger to pedestrians crossing the roadway, and at such other places as he may deem necessary; to supervise the establishment of safety zones of such kind and character and at such places as he may deem necessary for the protection of pedestrians; and to supervise the marking of lanes for traffic on the street pavement at such places as he may deem advisable, consistently with this chapter and state law.

#### **SECTION 9.1100 OBSTRUCTION OF INTERSECTION OR CROSSWALK**

No driver shall enter an intersection or a marked crosswalk unless there is sufficient space on the other side of the intersection or crosswalk to accommodate the vehicle he is operating without obstructing the passage of other vehicles or pedestrians, notwithstanding any traffic control signal indication to proceed.

#### **SECTION 9.1200 OVERTAKING AND PASSING SCHOOL BUS**

- (1) The driver of a vehicle upon a roadway within the limits of the city, upon meeting or overtaking from either direction, any school bus which has stopped on the highway for the purpose of receiving or discharging any school children shall stop the vehicle before reaching such school bus when there is in operation on said school bus, a visual signal as specified in Section 547.701 of the Texas Transportation Code, V.T.C.A., and said driver shall not proceed until such school bus resumes motion or is signaled by the school bus driver to proceed or the visual signals are no longer actuated.

(Ordinance No. G-96-03-28-12G of March 28, 1996)

- (2) The driver of a vehicle upon a highway with separated roadways need not stop upon meeting or passing a school bus which is on a different roadway or when upon a controlled access highway and the school bus is stopped on a loading zone which is a part of or adjacent to such highway and where pedestrians are not permitted to cross the roadway.

#### **SECTION 9.1300 DRIVERS IN A PROCESSION**

Each driver in a funeral or other procession shall drive as near the right-hand edge of the roadway as practicable and shall follow the vehicle ahead as close as is practicable and safe.

**SECTION 9.1400 UNLAWFUL RIDING**

No person shall ride on any vehicle upon any portion thereof not designed or intended for the use of passengers. This provision shall not apply to an employee engaged in the necessary discharge of a duty, or to persons riding within truck bodies in space intended for merchandise.

**SECTION 9.1500 PEDESTRIANS REQUIRED TO CROSS AT RIGHT ANGLES**

Except where otherwise indicated by a crosswalk or other official traffic control devices, pedestrians shall cross a street or roadway at right angles to the curb or by the shortest route to the opposite curb.

**SECTION 9.1600 BICYCLES, ROLLER SKATES, AND SKATEBOARDS****9.1601 TRAFFIC ORDINANCES APPLY TO PERSONS RIDING BICYCLES**

Every person riding a bicycle upon a roadway shall be granted all of the rights and shall be subject to all of the duties applicable to the driver of a vehicle by this chapter, except as to those provisions of this chapter which by their nature can have no application.

**9.1602 BICYCLE PARKING**

No person shall park a bicycle upon a street other than upon the roadway against the curb or upon the sidewalk in a rack to support the bicycle or against a building or at the curb, in such manner as to afford, the least obstruction to pedestrian traffic.

(Ordinance No. 755 of August 14, 1980)

**9.1603 RIDING BICYCLES, ROLLER SKATES,  
AND SKATEBOARDS ON SIDEWALKS**

- (1) No person shall ride a bicycle, skateboard, roller skates or other similar device upon a sidewalk within an area zoned for C-1 and C-2 (commercial use) as defined in the Code of Ordinances, City of Round Rock.
- (2) No person shall roller skate, ride a skateboard or bicycle in a reckless manner on any public sidewalk. No person shall ride a skateboard, roller skate or bicycle on a sidewalk without exercising due care for the safety of other persons using the sidewalk. Whenever any person is riding a bicycle, skateboard or roller skates upon a sidewalk, such person shall yield the right-of-way to any pedestrian and shall give an audible signal before overtaking and passing such pedestrian.
- (3) No person shall ride a bicycle, skateboard, roller skates or other similar device within city-owned parking garages within the City of Round Rock.

- (4) Any person, firm or corporation violating any provision of this subsection shall be fined not less than five dollars (\$5.00) nor more than two hundred dollars (\$200.00) for each offense, and a separate offense shall be deemed committed on each day during or on which a violation occurs or continues.

(Ordinance No. 2354 of August 25, 1988)

## **SECTION 9.1700 TRUCK TRAFFIC**

It shall be unlawful for any person to drive or operate any truck or tractor-trailer combination which has dual or tandem rear axles on any street, roadway, or highway or segment of such street, roadway, or highway within the city limits when such street is marked with a sign prohibiting through truck traffic; provided, however, that this prohibition shall not apply to trucks being used to make deliveries or pick ups from a residence or business located on said street or street segment. When signs are erected giving notice thereof, through truck traffic shall be prohibited upon those streets or portions of streets as follows:

<u>ON</u>	<u>FROM</u>	<u>TO</u>
East Liberty Ave. east and west bound	North Mays	North Georgetown Street
East Austin Ave. east and west bound	North Mays	North Georgetown Street
North Georgetown Street north and south bound	U.S. Highway 79	East Main Street
St. William Ave. north bound	McNeil Road	Deep Wood Drive
Deep Wood Drive north bound	McNeil Road	Oakridge Drive
Oakridge Drive north bound	McNeil Road	Deep Wood Drive
St. Williams St. south bound Drive	McNeil Road	Chisholm Valley
Chisholm Valley Drive west bound	IH 35 West Frontage	City Limits
North Georgetown Street north bound	U.S. Hwy. 79	West Mesa Park Drive
Robb Lane south bound	Bowman Drive	Karolyn Drive

ON	FROM	TO
Egger Drive north & south bound	Bowman Drive	U.S. Hwy. 79
West Mesa Park Drive north & south bound	Bowman Drive	Sunrise Road

(Ordinance No. 2075 of November 10, 1983 as amended by Ordinance No. G-97-10-09-9D of October 9, 1997)

Provident Lane north & south bound	U.S. Hwy. 79	Wayne Drive
East Mesa Park Drive east & west bound	Sunrise Road	Provident Lane
Wayne Drive east & west bound	Sunrise Road	Provident Lane

(Ordinance No. 2121 of June 14, 1984 as amended by Ordinance No. G-97-10-09-9D of October 9, 1997)

Chisholm Trail north & south bound	FM 620	Sam Bass Road
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(Ordinance No. 2197 of September 26, 1985)

Lampasas	Bagdad	Fannin
Sheppard	Bagdad	Fannin

(Ordinance No. 2204 of October 24, 1985)

East Main Street east and west bound	Mays	The east end of East Main Street
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(Ordinance No. 2216 of February 27, 1986)

Deepwood Drive	McNeil Road	FM 620
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(Ordinance No. 2375 of November 22, 1988)

Round Rock West Drive	Bluff Drive	South Lake Creek Drive
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(Ordinance No. 2377 of November 22, 1988 as amended by Ordinance No. G-97-10-09-9D of October 9, 1997)

ON	FROM	TO
Harrell Parkway	US Highway 79	County Road 113
Aten Loop	County Road 113	Harrell Parkway
(Ordinance No. G-94-10-13-9A of October 13, 1994)		
East Logan Street	South Mays Street	Greenlawn Boulevard
Greenlawn Boulevard	Gattis School Road	East Logan Street
South Burnet Street	Bagdad Avenue	Deerfoot Drive
Deerfoot Drive	South Burnet Street	Ridge Crest Drive
Ridge Crest Drive	Deerfoot Drive	East Logan Street

(Ordinance No. G-99-04-08-10B1 of April 8, 1999)

Red Bud Lane	U.S. 79	Gattis School Rd.
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(Ordinance No. G-05-04-28-9A1 of April 28, 2005)

Old Settlers Boulevard	A.W. Grimes Boulevard	Red Bud Lane
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(Ordinance No. G-05-11-22-8B2 of November 22, 2005 as amended by Ordinance No. G-06-10-12-10A1 of October 12, 2006, Ordinance No. G-07-04-26-11B1 of April 26, 2007, and Ordinance G-07-06-28-10C9 of June 28, 2007)

## **SECTION 9.1800      PARKING REGULATIONS**

### **9.1801   APPLICATION OF SECTION**

The provisions of this section prohibiting the standing or parking of a vehicle shall apply at all times or at those times herein specified or as indicated on official signs, except when it is necessary to stop a vehicle to avoid conflict with other traffic or in compliance with the directions of a police officer or official traffic control device.

### **9.1802   REGULATIONS IMPOSING TIME LIMIT ON PARKING NOT EXCLUSIVE**

The provisions of this section imposing a time limit on parking shall not relieve any person from the duty to observe other and more restrictive provisions prohibiting or limiting the stopping, standing, or parking of vehicles in specified places or at specified times.

### **9.1803   PARKING SIGNS REQUIRED**

Whenever any parking time limit is imposed or parking is prohibited on designated streets it shall be the duty of the director of planning to erect appropriate signs giving notice

thereof and no such regulations shall be effective unless said signs are erected and in place at the time of any alleged offense.

#### 9.1804 PRIMA FACIE EVIDENCE OF VIOLATION BY OWNER

In any case when a person shall have been charged with having parked or left standing a vehicle on any street in the city at a place on said street where parking of a vehicle is prohibited, or with parking such vehicle on said street in a manner which violates the manner of parking a vehicle as designated, or with parking such vehicle for a length of time in excess of that allowed in the space where such vehicle was parked, proof that said vehicle was, at the date of the offense alleged, owned by the person charged with the offense, shall constitute prima facie evidence that said vehicle was parked or left standing at the place charged by said owner, but the owner shall have the right to introduce evidence to show that said vehicle was not parked by him as charged in the complaint.

#### 9.1805 ANGLE PARKING

- (1) The director of planning shall determine upon what streets angle parking shall be permitted and shall mark or sign such streets, but such angle parking shall not be indicated upon any federal aid or state highway within this city unless the State Highway and Public Transportation Commission has determined by resolution or order entered in its minutes that the roadway is of sufficient width to permit angle parking without interfering with the free movement of traffic. Angle parking shall not be indicated or permitted at any place where passing traffic would thereby be caused or required to drive upon the left side of the street.
- (2) On those streets which have been signed or marked by the city for angle parking, no person shall park or stand a vehicle other than at the angle to the curb or edge of the roadway indicated by such signs or markings.

#### 9.1806 CURB LOADING ZONES

- (1) The director of planning is hereby authorized to determine the location of passenger and freight curb loading zones and shall place and maintain appropriate signs indicating the same and stating the hours during which the provisions of this subsection are applicable.
- (2) No person shall stop, stand, or park a vehicle for any purpose or period of time other than for the expeditious loading or unloading of passengers in any place marked as a passenger curb loading zone during hours when the regulations applicable to such curb loading zone are effective, and then only for a period not to exceed three (3) minutes.
- (3) No person shall stop, stand, or park a vehicle for any purpose or length of time other than for the expeditious unloading and delivery, or pick up and loading of materials in any place marked as a freight curb loading zone during hours when the provisions applicable to such zones are in effect. In no case shall the stop for loading or unloading of materials exceed thirty (30) minutes.

(Ordinance No. 755 of August 14, 1980)

9.1807 HANDICAP PARKING

- (1) The city council may designate parking spaces or parking areas on property owned or controlled by the City of Round Rock, which shall be for the exclusive use of vehicles transporting temporarily or permanently disabled persons. A person who owns or controls private property used for parking may designate one or more parking spaces or areas for the exclusive use of vehicles transporting temporarily or permanently disabled persons. Parking spaces or areas designated by the City of Round Rock or a private property owner must be designated in compliance with and conform to the identification and marking standards adopted by the commissioner of licensing and regulation under Section 5(c), Article 9102, Texas Revised Civil Statutes, which are codified in 16 TEX. ADMIN. CODE Section 68.100. Section 681.011 of the Texas Transportation Code, related to offenses for parking in spaces reserved for disabled persons, applies to parking spaces on private property that have been designated in compliance with the identification and marking standards adopted by the commissioner of licensing and regulation under Section 5(c), Article 9102, Texas Revised Civil Statutes, which are codified at 16 TEX. ADMIN. CODE Section 68.100.
- (2) Parking spaces or parking areas for the exclusive use of vehicles transporting disabled persons shall be situated at the locations as hereinafter set forth:

In front of city hall - one (1) parking space.

(Ordinance No. 2074 of November 10, 1983 as amended by Ordinance No. G-96-04-25-9B of April 25, 1996)

9.1808 PARKING NOT TO OBSTRUCT TRAFFIC

No person shall park any vehicle upon a street, other than an alley, in such a manner or under such conditions as to leave available less than ten (10) feet of the width of the roadway for free movement of vehicular traffic.

9.1809 PARKING IN ALLEYS

No person shall park a vehicle within an alley in such a manner or under such conditions as to leave available less than ten (10) feet of the width of the roadway for the free movement of vehicular traffic, and no person shall stop, stand, or park a vehicle within an alley in such position as to block the driveway entrance to any abutting property.

9.1810 PARKING ON STREET FOR SALE, WASHING, OR REPAIRING

No person shall park a vehicle upon any roadway for the principal purpose of displaying such vehicle for sale, or washing, greasing, or repairing such vehicle, except repairs necessitated by an emergency.

(Ordinance No. 755 of August 14, 1980)



9.1811 PARKING ADJACENT TO SCHOOLS

The director of planning is hereby authorized to erect signs indicating no parking on either or both sides of any street adjacent to any school property when such parking would interfere with traffic or create a hazardous situation.

(Ordinance No. 939 of February 11, 1982)

9.1812 PARKING NEAR HAZARDOUS OR CONGESTED PLACES

- (1) The director of planning is hereby authorized to determine and designate by proper signs, places not exceeding one hundred (100) feet in length in which the stopping, standing, or parking of vehicles would create an especially hazardous condition or would cause unusual delay to traffic.
- (2) When official signs are erected at hazardous or congested places as authorized herein, no person shall stop, stand, or park a vehicle in any such designated place.

9.1813 PROHIBITED PARKING AREAS WHERE NO SIGNS REQUIRED

No person shall stop, stand, or park a vehicle, except when necessary to avoid conflict with other traffic, in compliance with law, or the directions of a police officer or traffic control device, in any of the following places:

- (1) On a sidewalk
- (2) In front of a public or private driveway
- (3) Within an intersection
- (4) Within fifteen (15) feet of a fire hydrant
- (5) On a crosswalk
- (6) Within ten (10) feet of a crosswalk at an intersection
- (7) Alongside or opposite any street excavation or obstruction when stopping, standing, or parking would obstruct traffic
- (8) On the roadway side of any vehicle stopped or parked at the edge or curb of a street.

9.1814 FIRE ZONES

No person shall park a vehicle in those areas marked "Fire Zone," upon any of the following streets:

The alleys running in east-west direction between Mays and Sheppard Streets and Bagdad and Liberty Streets.

(Ordinance No. 755 of August 14, 1980)

9.1815 PARKING LONG VEHICLES AND TRAILERS ON STREETS RESTRICTED

- (1) It shall be unlawful to park a motor vehicle or motor vehicle/trailer combination which is in excess of twenty (20) feet in length on any residential street for a period in excess of five (5) minutes; provided, however, that this prohibition shall not apply to motor vehicles or motor vehicle/trailer combinations being used to make deliveries or pickups from any residence, as long as the motor vehicle or motor vehicle/trailer combination is not left unattended for a period in excess of five (5) minutes.

(Ordinance No. 755 of August 14, 1980 as amended by Ordinance No. G-96-10-24-9A of October 24, 1996)

- (2) It shall be unlawful to park a motor vehicle, or motor vehicle/trailer combination which is in excess of twenty (20) feet in length on any public street between the hours of 10:00 p.m. and 6:00 a.m.

(Ordinance No. 2296 of September 10, 1987 amended by Ordinance No. G-96-10-24-9A of October 24, 1996)

- (3) It shall be unlawful to park a trailer which is not attached to a motor vehicle on any public street.

(Ordinance No. G-96-10-24-9A of October 24, 1996)

9.1816 PARKING PROHIBITED IN CERTAIN DESIGNATED LOCATIONS

When signs are erected giving notice thereof, no person shall at any time park a vehicle upon any of the following described streets or parts of streets:

- (1) Main Avenue Between Mays Street and Lampasas

Any person or persons parking an automobile or other motor vehicle on Main Avenue between Mays Street and Lampasas Street in the City of Round Rock, Texas, shall park said automobile or other motor vehicle only in designated parking spaces, and shall not take up more than one (1) such parking space, and shall not permit the wheels of any such automobile or other motor vehicle to

occupy any part of more than one (1) such parking space. No such motor vehicles shall at any time be double parked on Main Avenue between Mays Street and Lampasas Street in the City of Round Rock, Texas.

(2) U.S. Highway 79

It shall hereafter be unlawful for any person to park a motor vehicle, vehicle, trailer, or automobile, as those terms are defined by Section 502.001 of the Texas Transportation Code, V.T.C.A., from that area lying in the highway right-of-way of U.S. 79 beginning at a point marking the intersection of IH 35 and said U.S. Highway 79 to a point marking the intersection of U.S. Highway 79 and Loop 384 (State Highway 81), all being located in the corporate limits in the City of Round Rock, Texas.

(Ordinance No. G-96-03-28-12G of March 28, 1996)

(3) I.H. 35 and Business Highway 81

It shall hereafter be unlawful for any person to park a passenger car, light truck, truck, tractor truck, or any other motor driven vehicle, as those terms are defined by Section 502.001 of the Texas Transportation Code, V.T.C.A., within that area lying in the highway or shoulder on the east side of the I.H. 35 east frontage road, north of Business Highway 81, from centerline station 1231+ 65 southerly to centerline station 1238+ 00, and on the west side of Business Highway 81 from centerline station 180+ 40, eighty-four feet (84') south of the centerline of Braddock Lane, northerly to centerline station 182+ 75, one hundred fifty-one (151) feet north of the centerline of Braddock Lane, all being located in the corporate limits of the City of Round Rock, Texas.

(Ordinance No. G-96-03-28-12G of March 28, 1996)

(4) Main Avenue between Lampasas and Sheppard Streets

No person or persons shall park an automobile or other motor vehicle in the center of the portion of Main Avenue between Lampasas Street and Sheppard Street at any time, or at any other place on Main Avenue between Lampasas Street and Sheppard Street, except in designated parking spaces along the curb on the north and south sides of Main Avenue between Lampasas Street and Sheppard Street, and shall not at any time occupy more than one (1) of such designated parking spaces, and shall not at any time double park any such automobile or other motor vehicle on said Main Avenue between Lampasas Street and Sheppard Street.

(5) Provident Lane

East side of Provident Lane from East Mesa Park Drive to driveway entrance of Vic Robinson School.

(Ordinance No. 755 of August 14, 1980)

(6) Braddock Lane

On both sides of Braddock Lane from its intersection with U.S. Highway 81 to its intersection with Nicole Circle.

(Ordinance No. 970 of September 23, 1982 as amended by Ordinance No. G-94-01-13-8C of January 13, 1994)

(7) Windy Park Drive, Breezy Lane, Whirlwind Trace and Stratford Drive

- (a) Windy Park Drive from the south right-of-way line of Gattis School Road to the south right-of-way line of Breezy Lane.
- (b) Breezy Lane from the west right-of-way line of Windy Park Drive to the east right-of-way line of Whirlwind Trace.
- (c) Whirlwind Trace from the north right-of-way line of Breezy Lane to the south right-of-way line of Stratford Drive.
- (d) Stratford Drive from the east right-of-way line of Whirlwind Trace to the east right-of-way line of Greenlawn Boulevard.

(Ordinance No. 2243 of August 14, 1986)

(8) Cushing Drive

It shall hereafter be unlawful for any person to park a motor vehicle, vehicle, trailer, or automobile, as those terms are defined by Section 502.001 of the Texas Transportation Code, V.T.C.A., on the west side of Cushing Drive from Gattis School Road to Logan Street, or on the east side of Cushing Drive from the intersection of Logan Street south to a point one hundred fifty-four (154) feet south of the centerline of Logan Street, or on the east side of Cushing Drive from the intersection of Gattis School Road north to a point fifteen (15) feet north of the northwest corner of Lot 7, Block A, Cushing Park Subdivision.

(Ordinance No. 2281 of April 23, 1987 as amended by Ordinance No. G-96-03-28-12G of March 28, 1996)

(9) Alleys Between Main and Bagdad and Main and Liberty

It shall hereafter be unlawful for any person to park a motor vehicle of any nature or a trailer within any portion of the following alleys except for the purpose of loading or unloading freight to adjacent businesses:

- (a) Alley between Main Street and Bagdad Street and Mays Street to Lampasas Street;
- (b) Alley between Main Street and Liberty Street from Mays Street to Lampasas Street;

- (c) Alley between Main Street and Liberty Street from Lampasas Street to Sheppard Street; and
- (d) Alley between Main Street and Bagdad Street from Lampasas Street to Sheppard Street.

(Ordinance No. 2347 of August 11, 1988)

- (10) On both sides of Harrell Parkway from its intersection with County Road 113 to its intersection with Aten Loop.

(Ordinance No. 2470 of April 26, 1990)

- (11) On both sides of Old Austin Rock Road from its intersection with McNeil Road to its intersection with Carlin Cove.

(Ordinance No. 2571 of April 23, 1992 as amended by Ordinance No. G-97-03-27-10B of March 27, 1997)

- (12) On the north side of Logan Street from South Mays Street to Mandell Street.
- (13) On the west side of Mandell Street from its southern end to Logan Street.

(Ordinance No. G-93-09-23-9D of September 23, 1993)

- (14) On the west side of Wonder Drive from its intersection with Sam Bass Road to its intersection with Ledbetter Street.

(Ordinance No. G-94-01-13-8B of January 13, 1994 as amended by Ordinance No. G-95-03-09-9D of March 9, 1995)

- (15) On the west side of North Lake Creek Drive from Round Rock Avenue to Lakewood Lane, and on the west side of South Lake Creek Drive from Lakewood Lane to Glenda Drive.

(Ordinance No. G-96-07-25-9B of July 25, 1996 as amended by Ordinance No. G-97-10-09-9D of October 9, 1997)

- (16) On both sides of Forest Creek Drive from Red Bud Lane to the east line of the Forest Creek Elementary Subdivision.

(Ordinance No. G-96-08-08-9C of August 8, 1996)

- (17) Deep Wood Drive
  - (a) On the east side of Deep Wood Drive from Dragon Drive north to Round Rock Avenue (FM 620).
  - (b) On the west side of Deep Wood Drive from its most westerly intersection with Oakridge Drive north to Round Rock Avenue (FM 620).

(Ordinance No. G-96-12-12-9A of December 12, 1996)

- (18) On both sides of Carlin Cove from its intersection with Old Austin Rock Road easterly to the end of Carlin Cove.

(Ordinance No. G-97-03-27-10B of March 27, 1997)

(19) West Liberty Avenue

- (a) On the north side of West Liberty Avenue from its intersection with North Mays Street to a point 165' west of the centerline of North Mays Street;
- (b) On the south side of West Liberty Avenue from its intersection with North Mays Street to a point 275' west of the centerline of North Mays Street; and
- (c) On the south side of West Liberty Avenue from a point 400' west of the centerline of North Mays Street to its intersection with Round Rock Avenue.

(Ordinance No. G-97-04-10-13B of April 10, 1997)

(20) Jarrett Way and Michael Angelo Way

- (a) On the east side of Jarrett Way from its intersection with Michael Angelo Way to a point 430' north of the centerline of Michael Angelo Way; and
- (b) On the north side of Michael Angelo Way from a point 250' east of the centerline of Jarrett Way to the intersection with Jarrett Way.

(Ordinance No. G-97-06-26-9A of June 26, 1997)

(21) South Creek Drive

On both sides of South Creek Drive from Juniper Trail to Gattis School Road.

(Ordinance No. G-99-03-11-13B1 of March 11, 1999)

(22) Anderson Avenue

On the north side of Anderson Avenue from a point 448' west of Brown Street to a point 513' west of Brown Street, from Monday through Friday only.

(Ordinance No. G-99-04-22-9B1 of April 22, 1999)

(23) Round Rock Ranch Boulevard

On Round Rock Ranch Boulevard from its intersection with Gattis School Road to a point 300' north of Gattis School Road.

(Ordinance No. G-01-03-22-11D1 of March 22, 2001)

(24) Lamar Drive between Old Settlers Boulevard and Commerce Boulevard

It shall hereafter be unlawful for any person to park a motor vehicle, vehicle, trailer, or automobile, as those terms are defined by Section 502.001 of the Texas Transportation Code, V.T.C.A., on the east side of Lamar Drive between Old Settlers Boulevard and Commerce Boulevard.

Any such vehicle or trailer parked in such prohibited area shall be a nuisance per se and shall be deemed to be a traffic and public safety hazard. Any vehicle or trailer parked in violation of this Section may be removed by a police officer or at his or her direction and retained until such time as any towing and storage fees are paid; provided however that the prohibited parking area shall be posted with an official sign giving notice of the prohibition and of the fact that such area is a tow away zone.

(Ordinance No. G-01-09-27-14B1 of September 27, 2001)

(25) South Industrial Boulevard

On both sides of South Industrial Boulevard from 115 feet east of the centerline of West Industrial Boulevard to the corner of West Industrial Boulevard.

(26) West Industrial Boulevard

On both sides of West Industrial Boulevard from 90 feet south of the centerline of South Industrial Boulevard to 145 feet north of the centerline of South Industrial Boulevard.

(Ordinance No. G-02-01-24-8C1 of January 24, 2002)

(27) Red Bud Lane

On the west side of Red Bud Lane from 200 feet north of CR 123 to 200 feet south of CR 123.

(Ordinance No. G-03-02-13-12A1 of February 13, 2003)

(28) Bagdad Avenue

On the north side of West Bagdad Avenue from South Brown Street to 65 feet west of South Brown Street.

(Ordinance No. G-03-06-12-9C2 of June 12, 2003)

(29) Sundance Parkway

On both sides of Sundance Parkway from La Frontera Boulevard to Hesters Crossing Road.

(Ordinance No. G-05-02-10-11A2 of February 10, 2005)

(30) Reserved for future use.

(31) Park Valley Drive

- (a) On the north side of Park Valley Drive from Wyoming Springs Drive to Oakwood Boulevard; and
- (b) On the south side of Park Valley Drive from Wyoming Springs Drive to 1,220 feet east of Wyoming Springs Drive.

(Ordinance No. G-05-06-23-13D1 of June 23, 2005)

#### 9.1817 PARKING TIME LIMITED ON CERTAIN STREETS

(1) Two (2) Hour Limit Zones

- (a) When signs are erected giving notice thereof, no person shall park a vehicle for a period of time longer than two (2) hours between the hours of 8:00 a.m. and 5:00 p.m. of any day except Sundays and public holidays within the district or upon any of the streets or parts of streets as follows:

On Main Street from Mays Street to Sheppard Street.

- (b) When signs are erected giving notice thereof, no person shall park a vehicle for a period of time longer than two (2) hours between the hours of 8:00 a.m. and 5:00 p.m. of any day except Saturdays, Sundays and public holidays upon any of the streets or parts of streets as follows:
  - (i) On both sides of Westwood Drive.
  - (ii) On both sides of Lakewood Lane.
  - (iii) On both sides of Bonwood Drive.

(Ordinance No. 755 of August 14, 1980 as amended by Ordinance No. G-94-01-13-8A of January 13, 1994 and Ordinance No. G-95-04-13-10A of April 13, 1995)

(2) Fifteen (15) Minute Zones

When signs are erected giving notice thereof, no person shall park a vehicle for a period of time longer than fifteen (15) minutes between the hours of 8:00 a.m. and 5:00 p.m. of any day except Saturdays, Sundays, and public holidays upon any of the streets or parts of streets as follows:

- (a) On East Main Street at the southwest corner of its intersection with Lampasas Street for a distance of 20 feet.

(Ordinance No. 755 of August 14, 1980 as amended by Ordinance No. G-05-03-10-13B3 of March 10, 2005)

- (b) On three (3) designated spaces in the 300 block of Sundance Parkway, as shown on Exhibit A to Ordinance No. G-06-06-22-9D1.



(Ordinance No. G-06-06-22-9D1 of June 22, 2006)

(3) School Parking Zones

- \_\_\_\_\_ (a) When signs are erected giving notice thereof, no person shall park a vehicle between the hours of 7:00 a.m. and 4:00 p.m., on any day that Robertson Elementary School is in session, upon any of the streets or parts of streets as follows:

On both sides of Bayland Drive from Provident Lane to the eastern-most access driveway of the Robertson Elementary School parking area situated adjacent to Bayland Street.

(Ordinance No. G-96-04-11-12C of April 11, 1996)

- (b) When signs are erected giving notice thereof, no person shall park a vehicle between the hours of 7:00 a.m. and 9:00 a.m. and between the hours of 2:00 p.m. and 4:00 p.m. on any day that Fern Bluff Elementary School is in session, on Falcon Drive from Wyoming Springs Drive to Quail Lane.

(Ordinance No. G-97-11-13-9D of November 13, 1997)

- (c) When signs are erected giving notice thereof, no person shall stop, stand, or park a vehicle between the hours of 7:00 a.m. and 8:15 a.m. and between the hours of 2:30 p.m. and 3:30 p.m. on any day that Old Town Elementary School is in session, on a portion of Plantation Drive (southbound) from FM 3406 to 632' south of FM 3406.
- (d) When signs are erected giving notice thereof, no person shall park a vehicle between the hours of 7:00 a.m. and 8:15 a.m. and between the hours of 2:30 p.m. and 3:30 p.m. on any day that Old Town Elementary School is in session, on Plantation Cove.

(Ordinance No. G-01-08-09-12D4 of August 9, 2001 as amended by Ordinance No. G-01-12-20-9B2 of December 20, 2001)

9.1818 LAKE CREEK RESIDENTIAL PARKING DISTRICT

- (1) Definitions The following terms, as used in this Section, have the following definitions:
- (a) "Director of Planning" shall mean the Director of Planning of the City of Round Rock, Texas, or his designee.
- (b) "Lake Creek Residential Parking District" shall mean the area comprised of the following public streets and all residential lots abutting or immediately adjacent to said streets: Westwood Drive, Lakewood Lane, Bonwood Drive, Glenda Drive, North Lake Creek Drive from Westwood Drive to Lakewood Lane, and South Lake Creek Drive from Lakewood Lane to Round Rock West Drive.

(Ordinance No. G-96-07-25-9A of July 25, 1996 as amended by Ordinance No. G-97-10-09-9D of October 9, 1997)

(c) “Motor vehicle” shall mean every vehicle which is self-propelled.

(2) Offenses

- (a) No person shall park any motor vehicle on any public street in the Lake Creek Residential Parking District between the hours of 8:00 a.m. and 4:00 p.m. on weekdays, Monday through Friday, without displaying a valid Residential Parking District permit or a valid Temporary Visitor’s permit.
- (b) An individual commits an offense if he displays a permit issued pursuant to this Section on a motor vehicle other than the motor vehicle for which the permit was issued.
- (c) A person commits an offense if he falsely represents himself as being eligible for a Residential Parking District permit or a Temporary Visitor’ permit, submits false documents, or otherwise makes a false statement of material fact on an application for a permit.

(3) Penalties

- (a) Any vehicle parked in a Residential Parking District, during times when parking is restricted and without displaying a valid permit issued under this Section, may be issued a citation or be subject to immediate towing and impoundment.
- (b) A person who commits any other violation against the provisions of this Section is subject to the penalties provided for in Section 1.600 of the Code of Ordinances, City of Round Rock, Texas.

(4) Exceptions The terms of this Section shall not apply in the following instances:

- (a) Motor vehicles that are parked in a driveway, parking lot, or other authorized and appropriate area designed for parking motor vehicles.
- (b) The Residential Parking District shall not be effective between 8:00 a.m. and 4:00 p.m. on weekdays that Round Rock High School is not in session.
- (c) Motor vehicles that are stopped temporarily while the operator or a passenger is making deliveries to a location within the Residential Parking District;
- (d) Motor vehicles that are used in transporting individuals, equipment, and goods necessary for making improvements and repairs, providing labor, and performing other services at a location within the Residential Parking District;

- (e) Motor vehicles that are stopped temporarily for loading or unloading passengers or goods; or
- (f) Motor vehicles that are stopped temporarily for necessary emergency repairs.

(5) Residential Parking District Permits

- (a) All residents of a designated Residential Parking District who register with the Director of the Department of Planning, or his designee, shall be issued, free of charge, one (1) permit for each motor vehicle owned and kept by the resident at the premises located within the Residential Parking District. The Residential Parking permits must be placed in the lower, left-hand corner of the rear window of the motor vehicle.
- (b) Each permit issued to a resident will be assigned to a specific vehicle, and will only be valid for the particular vehicle to which it is assigned. No permit may be transferred to any other individual or used for a different vehicle other than the one to which the permit is assigned.
- (c) All residents applying for a permit or permits must use the application developed by the Director of Planning.
- (d) The director shall, upon receiving a completed application, issue a Residential Parking District permit to any individual that is eligible for the permit. An individual is eligible to obtain a permit if:
  - (i) the individual owns a motor vehicle;
  - (ii) resides within the Residential Parking District; and
  - (iii) has no outstanding parking citations issued by the City.
- (e) The individual's application for a permit must contain the following information:
  - (i) the name, address, and Texas Driver's License number of the owner of the motor vehicle to be parked in the Residential Parking District;
  - (ii) the make, model, registration, and license plate number of the motor vehicle to be parked in the Residential Parking District; and
  - (iii) any other information the Director of Planning determines to be necessary to the enforcement and administration of the terms of this Section.
- (f) The applicant for a permit must submit the following information at the time application is made for a Residential Parking District permit:

- (i) a valid Texas motor vehicle registration for the motor vehicle which is the subject of the permit application; and
- (ii) a valid Texas driver's license of the applicant showing the applicant's current home address, or a residential utility bill acceptable to the Director of Planning showing the applicant's home address.

(6) Temporary Visitor Parking District Permits.

- (a) Two Temporary Visitor permits will automatically be issued, free of charge, for each residential lot situated within the Lake Creek Residential Parking District. These permits will be valid on any date during the year.
- (b) Additional Temporary Visitor permits shall be issued, free of charge, for persons visiting in the area, at the written request of any person living within the Lake Creek Residential Parking District. These Temporary Visitor permits shall be valid only on the date(s) noted on the permit.

(7) Miscellaneous.

- (a) When a motor vehicle is parked in a Residential Parking District during times when parking is restricted, the permit must be conspicuously displayed on the lower, left-hand corner of the rear window of the motor vehicle.
- (b) A permit issued pursuant to this Section, and properly displayed, authorizes the permittee's vehicle to be parked in a Residential Parking District when otherwise prohibited by this Section. A permit does not authorize the permittee's motor vehicle to be parked in a manner or location that is prohibited or otherwise governed by regulations, ordinances, statutes, or laws other than provided for in this Section.
- (c) A permit is not transferable from one motor vehicle to another.
- (d) A lost or stolen permit may be replaced. The permittee must submit a signed affidavit stating that the permit was lost or stolen and not transferred to another vehicle, nor given or conveyed to another individual.

(Ordinance No. G-95-07-27-10B of July 27, 1995)

9.1819 PLANTATION COVE RESIDENTIAL PARKING DISTRICT

- (1) Definitions The following terms, as used in this Section, have the following definitions:
  - (a) "Director of Planning" shall mean the Director of Planning of the City of Round Rock, Texas, or his designee.

- (b) “Plantation Cove Residential Parking District” shall mean the area comprised of Plantation Cove and all residential lots abutting or immediately adjacent to Plantation Cove.
- (c) “Motor vehicle” shall mean every vehicle which is self-propelled.

(2) Offenses

- (a) No person shall park any motor vehicle on any public street in the Plantation Cove Residential Parking District between the hours of 7:00 a.m. and 4:00 p.m. on weekdays, Monday through Friday, without displaying a valid Residential Parking District permit or a valid Temporary Visitor’s permit.
- (b) An individual commits an offense if he displays a permit issued pursuant to this Section on a motor vehicle other than the motor vehicle for which the permit was issued.
- (c) A person commits an offense if he falsely represents himself as being eligible for a Residential Parking District permit or a Temporary Visitor’ permit, submits false documents, or otherwise makes a false statement of material fact on an application for a permit.

(3) Penalties

- (a) Any vehicle parked in a Residential Parking District, during times when parking is restricted and without displaying a valid permit issued under this Section, may be issued a citation or be subject to immediate towing and impoundment.
- (b) A person who commits any other violation against the provisions of this Section is subject to the penalties provided for in Section 1.600 of the Code of Ordinances, City of Round Rock, Texas.

(4) Defenses The terms of this Section shall not apply in the following instances:

- (a) Motor vehicles that are parked in a driveway, parking lot, or other authorized and appropriate area designed for parking motor vehicles.
- (b) The Residential Parking District shall not be effective on weekdays that Old Town Elementary School is not in session.
- (c) Motor vehicles that are stopped temporarily while the operator or a passenger is making deliveries to a location within the Residential Parking District;
- (d) Motor vehicles that are used in transporting individuals, equipment, and goods necessary for making improvements and repairs, providing labor,

and performing other services at a location within the Residential Parking District;

- (e) Motor vehicles that are stopped temporarily for loading or unloading passengers or goods; or
- (f) Motor vehicles that are stopped temporarily for necessary emergency repairs.

(5) Residential Parking District Permits

- (a) All residents of a designated Residential Parking District who register with the Director of the Department of Planning, or his designee, shall be issued, free of charge, one (1) permit for each motor vehicle owned and kept by the resident at the premises located within the Residential Parking District. The Residential Parking permits must be placed in the lower, left-hand corner of the rear window of the motor vehicle.
- (b) Each permit issued to a resident will be assigned to a specific vehicle, and will only be valid for the particular vehicle to which it is assigned. No permit may be transferred to any other individual or used for a different vehicle other than the one to which the permit is assigned.
- (c) All residents applying for a permit or permits must use the application developed by the Director of Planning.
- (d) The director shall, upon receiving a completed application, issue a Residential Parking District permit to any individual that is eligible for the permit. An individual is eligible to obtain a permit if:
  - (i) the individual owns a motor vehicle;
  - (ii) resides within the Residential Parking District; and
  - (iii) has no outstanding parking citations issued by the City.
- (e) The individual's application for a permit must contain the following information:
  - (i) the name, address, and Texas Driver's License number of the owner of the motor vehicle to be parked in the Residential Parking District;
  - (ii) the make, model, registration, and license plate number of the motor vehicle to be parked in the Residential Parking District; and
  - (iii) any other information the Director of Planning determines to be necessary to the enforcement and administration of the terms of this Section.

- (f) The applicant for a permit must submit the following information at the time application is made for a Residential Parking District permit:
  - (i) a valid Texas motor vehicle registration for the motor vehicle which is the subject of the permit application; and
  - (ii) a valid Texas driver's license of the applicant showing the applicant's current home address, or a residential utility bill acceptable to the Director of Planning showing the applicant's home address.
- (6) Temporary Visitor Parking District Permits.
  - (a) Two Temporary Visitor permits will automatically be issued, free of charge, for each residential lot situated within the Plantation Cove Residential Parking District. These permits will be valid on any date during the year.
  - (b) Additional Temporary Visitor permits shall be issued, free of charge, for persons visiting in the area, at the written request of any person living within the Plantation Cove Residential Parking District. These Temporary Visitor permits shall be valid only on the date(s) noted on the permit.
- (7) Miscellaneous.
  - (a) When a motor vehicle is parked in a Residential Parking District during times when parking is restricted, the permit must be conspicuously displayed on the lower, left-hand corner of the rear window of the motor vehicle.
  - (b) A permit issued pursuant to this Section, and properly displayed, authorizes the permittee's vehicle to be parked in a Residential Parking District when otherwise prohibited by this Section. A permit does not authorize the permittee's motor vehicle to be parked in a manner or location that is prohibited or otherwise governed by regulations, ordinances, statutes, or laws other than provided for in this Section.
  - (c) A permit is not transferable from one motor vehicle to another.
  - (d) A lost or stolen permit may be replaced. The permittee must submit a signed affidavit stating that the permit was lost or stolen and not transferred to another vehicle, nor given or conveyed to another individual.

(Ordinance No. G-07-02-08-10A1 of February 8, 2007)

SECTION 9.1820      VEHICLE PARKING ON RESIDENTIAL LOTS.

## (1)      Title, Purpose and Scope.

- (a)      It is hereby declared that the purpose and intent of this Section is to regulate, control and limit public nuisances and other conditions and circumstances as herein set forth that adversely affect the health, safety or welfare of the general public, and that adversely affect community appearance, orderly development and property values.
- (b)      This Section shall apply to all residential lots located in the corporate limits of the City; provided however, this Section shall not apply to lots prior to the issuance of a Certificate of Occupancy.
- (c)      If any other ordinance of the City conflicts with this Section and the standards and regulations established herein, the higher or stricter standard or regulation shall prevail.

## (2)      Definitions.

- (a)      Corner Lot: A residential lot located at the intersection of two streets.
- (b)      Design and Construction Standards Transportation Criteria Manual or DACS: the Design and Construction Standards Transportation Criteria Manual, as adopted or amended from time to time by the City Council.
- (c)      Driveway: a private, continuous driving surface providing ingress and egress for vehicles from an garage or carport to an adjacent street, alley or other improved public way, which may also serve as an off-street parking area.
- (d)      Improved Driveway: A driveway consisting of a continuous improved surface constructed in accordance with the DACS.
- (e)      Improved Surface: A continuous area used for the movement or parking of vehicles that is constructed of concrete, asphalt, brick, pavers or other equivalent materials approved by the City Engineer prior to installation, but not including gravel or crushed stone.
- (f)      Park: To stand a vehicle, whether occupied or not, for any period of time.
- (g)      Rear Yard: A rear yard shall be defined as the area extending across the full width of the lot between the rear lot line and the rear building wall. For a corner lot, the rear yard includes that portion of the residential lot which is the deepest area of the lot lying between the building wall and the property line and is not contained within the street yard.



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- (h) Residential Lot: Any lot in a residential zoning district, as identified in Section 11.401, with the exception of the Multifamily (MF) zoning district.

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- (i) Side Yard: A side yard shall be defined as the area between a side lot line and the side building wall, and extending from the front building wall to the rear building wall.
- (j) Street Yard: The area of a lot which lies between the property line adjacent to street or right-of-way and the building wall, and as such building wall line extends from the outward corners of the building, parallel to the street.
- (k) Unimproved Driveway: A private continuous surface providing ingress and egress for vehicles from an off-street parking area, garage or carport to an adjacent street, alley or other improved public way that is constructed with gravel, crushed stone, or other equivalent material approved by the City Engineer.
- (l) Unimproved Parking Area. Any portion of a residential lot that is used for off-street parking of vehicles that is constructed with gravel, crushed stone, or other equivalent material approved by the City Engineer.
- (m) Unimproved Surface: Any part of a residential lot that is not either an improved surface, unimproved driveway, or unimproved parking area.
- (n) Vehicle: Any and every motorized or non-motorized device in, upon or by which a person, persons, or property is or may be transported, drawn or moved upon a street, highway, waterway or airway and shall include but is not limited to any automobile, bus, truck, tractor, motor house, farm machinery, motorcycle, scooter, moped, all-terrain vehicle, boat, boat trailer, aircraft, golf cart, go-cart, trailer, fifth-wheel trailer, camper, camper shell, wheeled towing frame, semi-tractor, semi-tractor trailer, truck bed mounted on a chassis, mobile home, and recreational vehicle. This definition does not include non-motorized bicycles, small engine lawnmowers and devices of similar scale.

(3) General Vehicle Parking Regulations.

- (a) It shall be unlawful for the owner, occupant or person in charge of any residential lot or the owner of a vehicle to park or to permit the parking of a vehicle on an unimproved surface, unimproved driveway, or unimproved parking area in the street yard or side yard of any residential lot.
- (b) Except as otherwise provided, it shall be unlawful for the owner, occupant or person in charge of any residential lot or owner of any vehicle to park or permit the parking of any vehicle in the rear yard unless said vehicle is screened in the manner stated in Section 11.502(2)(c) of the Code. The aforesaid screening shall not be required in the rear yard for vehicles parked on an improved driveway.



- (c) It is an affirmative defense to prosecution if a vehicle is parked on an unimproved surface if site construction, building improvements, or landscaping activities require parking of said vehicle on said unimproved surface. The vehicle shall be removed from the unimproved surface within seventy-two (72) hours of the completion of the portion of the project requiring said parking.
- (d) It is an affirmative defense to prosecution for the parking of vehicles at an existing residence on an unimproved driveway or unimproved parking area where such unimproved driveway or unimproved parking area existed before the effective date of this Ordinance; however, the existing unimproved driveway or unimproved parking area shall be maintained in a fashion that will support vehicular traffic, not allow grass, weeds or other vegetation to grow in the unimproved driveway or unimproved parking area.

(4) Enforcement and Penalty for Violation of this Section.

Any person, firm, or corporation violating any of the provisions of this Section or any amendment thereto shall be deemed guilty of a misdemeanor, and upon conviction in Municipal Court shall be subject to a fine not to exceed the sum of five hundred dollars (\$500.00) for each offense, and each and every day such violation continues shall constitute a separate offense.

(5) Illegally Parked Vehicles Declared a Public Nuisance; Duty of Property Owners; Unlawful to Interfere With Impounding.

- (a) Illegally parked vehicles are detrimental to the safety and welfare of the general public, tending to reduce the value of private property, to invite vandalism, to create fire hazards, to constitute an attractive nuisance creating a hazard to the health and safety of minors, and are detrimental to the economic welfare of the city and state by producing urban blight which is adverse to the maintenance and continuing development of the City, and such vehicles are declared to be a public nuisance and subject to abatement as set out hereunder.
- (b) The owner or occupant of any real property within the City shall keep such property free of and shall not permit or suffer the presence of illegally parked vehicles on such property.
- (c) It shall be unlawful for any person to knowingly or intentionally interfere with or attempt to prevent the physical impounding of any illegally parked vehicle by the chief of police or his delegate pursuant to this subsection.

(6) Visible Notice to Abate Nuisance.

- (a) At the time an illegally parked vehicle is located by the chief of police on either occupied or unoccupied private property, a visible notice, brightly colored but of a color different from that used for notices of abandoned

and junked vehicles, shall be securely affixed to such vehicle. Such notice shall:

- (i) State that the vehicle is a public nuisance and that it must be removed and abated within seventy-two (72) hours from the date on such notice.
  - (ii) State that a request for a hearing to determine whether or not the vehicle is an illegally parked vehicle as defined herein must be made to the clerk of the municipal court, either in person or in writing and without the requirement of bond, before the expiration of said seventy-two (72) hour period.
  - (iii) Shall state that in the event that no request for a hearing is received before the expiration of said seventy-two (72) hour period, it shall be conclusively presumed that said vehicle is an illegally parked vehicle as defined under this Section.
  - (iv) Shall state the date and hour that it was affixed.
- (b) Affixing the notice set out herein shall not be a condition or requirement precedent to any proceeding or official action to abate such public nuisance and such proceeding or action shall not be rendered void or voidable nor in any way affected by failure to affix the visible notice prescribed herein.
- (7) Public Hearing; Finding and Orders of Judge.
- (a) The owner or occupant of any premises on which an illegally parked vehicle is located may, within seventy-two (72) hour after service of a notice to abate said nuisance, request of the clerk of the municipal court of the city, either in person or in writing, and without the requirement of the bond, that a date and a time be set when he may appear before the judge of the municipal court for a hearing to determine whether or not the vehicle is an illegally parked vehicle.
  - (b) The judge of the municipal court shall hear any case brought before such court, as set out herein, and shall determine by a preponderance of the evidence whether or not the vehicle is an illegally parked vehicle and in violation of this Section. At the hearing, the vehicle is presumed, unless demonstrated otherwise by the owner, to be illegally parked. Such hearing shall not be criminal in nature and shall be as summary as due process and orderly procedure allows. Rules of evidence as in civil suits shall be followed. Upon finding that such vehicle is in violation of this Section, the judge of such court shall order such defendant to remove and abate such nuisance within seventy-two (72) hour, the same being a reasonable time. If the defendant shall fail and refuse, within such seventy-two (72) hour, to abate or remove the nuisance, the judge of the municipal court may issue an order directing the chief of police to have the same removed, and the chief of police or his delegate shall take possession of such illegally

parked vehicle and remove it from the premises. Such order shall include a description of the vehicle, and the current identification number and license number of the vehicle, if available at the site.

- (c) Notice of any hearing set under this Section shall be delivered to the chief of police.

(8) Notice to Texas Department of Transportation.

Notice shall be given to the Texas Department of Transportation that an illegally parked vehicle has been impounded within five (5) days after the removal of the illegally parked vehicle as provided in this Section, identifying the vehicle or part thereof impounded.

(9) Disposition of Impounded Illegally Parked Vehicles.

The chief of police or his delegate shall dispose of all impounded illegally parked vehicles in such manner as the city manager may designate, consistent with state law, provided such vehicle shall not be reconstructed or made operable. Disposal may be by removal or sale, with or without competitive bidding, to a scrap yard or demolisher.

(Ordinance No. G-07-09-27-14B4 of September 27, 2007)

## **SECTION 9.1900 PLANTS AND OBJECTS INTERFERING WITH TRAFFIC**

### **9.1901 DEFINITIONS**

For the purposes of this section, the following words and phrases shall have the meanings respectively ascribed to them in this section.

Curb line shall mean the boundary of that portion of any street which is improved, designed, or ordinarily used for vehicular traffic.

Plant shall mean any hedge, bush, shrub, vine, palm, or other vegetation, except trees.

Property line shall mean the boundary line of any street which line marks the division between the street area and the property abutting upon the same.

Street shall mean the entire width of every way or place of whatsoever nature when any part thereof is open to the use of the public as a matter of right for the purpose of traffic.

Traffic shall mean pedestrians, riders of animals, and drivers of vehicles while using any street for the purpose of travel.

Object shall mean every sign, advertisement, container, or display item of any type or form, portable or fixed, which is not authorized by state law or city ordinance.

Vehicle shall mean every device in, upon, or by which any person or property is or may be transported or drawn upon a street, except devices moved by human power.

9.1902 PLANTS HIGHER THAN THREE FEET PROHIBITED NEAR STREET CORNERS

It shall be unlawful for any person to place or cause to be placed any plant having a height greater than three (3) feet above the level of the center of the nearest abutting street on or in that portion of any corner lot in the city, which portion is included in a triangle on the street corner of the lot formed by a diagonal line intersecting the property lines at points thirty-five (35) feet from the street corner intersection of the lines.

9.1903 PLANTS HIGHER THAN THREE FEET PROHIBITED IN SIDEWALK AREAS

It shall be unlawful for either the owner or the occupant of any corner lot in the city to place, maintain or permit, or cause to be placed or maintained, any plant having a height greater than three (3) feet above the level of the center of the nearest abutting street on or in that area which lies between the property lines of such corner lot and the curb lines of streets abutting such property lines and which area extends for a distance of fifty (50) feet back from the intersection of the curb lines of such abutting streets.

9.1904 PLACING OR MAINTAINING IN SIDEWALK  
AREAS SO AS TO PROHIBIT FREE PASSAGE

It shall be unlawful for either the owner or the occupant of any lot in the city to place, maintain, or permit, or cause to be placed or maintained, any tree, plant, or object, on or in the area between the property line thereof and the curb line of any street abutting such property line in such a way as to obstruct the free passage on and use of that area by the public.

9.1905 PLACING NEAR FIRE HYDRANTS

It shall be unlawful for either the owner or the occupant of any property in the city to place, maintain, or permit, or cause to be placed or maintained thereon, any tree, plant, or object within five (5) feet of any fire hydrant in the city.

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**9.1906 MINIMUM CLEARANCE OF TREES IN SIDEWALK AREAS**

It shall be unlawful for the owner or occupant of any property in the city to maintain or permit limbs of trees growing thereon to overhang or grow above the area between his property line and the curb line of any abutting street, unless such limbs and all branches and foliage thereon are kept trimmed and pruned to a minimum clearance of eight (8) feet above the street level at the nearest curb line.

**9.1907 CORRECTION OF VIOLATIONS**

It shall be the duty of the chief of police to cause notice to be served upon the owner or occupant of any property upon which any violation of subsections 9.1902 through 9.1906 exists to correct such condition as constitutes a violation of these subsections within ten (10) days after serving such notice; and if such condition is not corrected or remedied or caused to be corrected or remedied by such person by the end of such ten (10) days' notice, the director of planning is hereby authorized and directed to cause the tree or plant or part thereof constituting such violation to be so trimmed, pruned, or removed as to eliminate the prohibited condition.

**9.1908 AUTHORITY OF DIRECTOR OF PLANNING TO TRIM, REMOVE, ETC.**

The director of planning is hereby authorized to remove, or cause to be removed, any trees or plants found between the opposite curb lines in any street in the city and to trim branches, limbs, or foliage of any tree or plant which overhangs or grows above the area which lies between the opposite curb lines of any street, so as to provide a minimum clearance of eight (8) feet above the street level at the curb line and so as to be graduated toward the center of the street to a clearance of twelve (12) feet above the street level at the center of the street.

**9.1909 CERTAIN FENCES PROHIBITED**

It shall be unlawful for any person to construct or replace, or cause to be constructed or replaced, any fence having a height greater than three (3) feet above the level of the center of the nearest abutting street on or in that portion of any corner lot in the city, which portion is included in a triangle on the street corner of the lot formed by a diagonal line intersecting the property lines at points thirty-five (35) from the street corner intersection of the property lines.

(Ordinance No. 755 of August 14 1980, as amended by Ordinance No. 1193 of April 24, 1986)

**SECTION 9.2000      RAILROADS****9.2001 PURPOSE OF SECTION**

The purpose of this section shall be to secure safety and to protect the health and welfare of the citizens of Round Rock, Texas, by providing regulations governing the operation,

maintenance, and use, and any and all activities related to and concerned with said operation, maintenance, and use of railway trains within the city limits of Round Rock, Texas.

9.2002 UNLAWFUL TO OBSTRUCT CROSSINGS  
FOR MORE THAN FIVE (5) MINUTES

Any officer, agent, servant, or receiver of any railway corporation who willfully obstructs for more than five (5) minutes at any one (1) time any street, railway crossing or public highway by permitting their train to stand on or across such crossing shall be Fined not less than five dollars (\$5.00) nor more than one hundred dollars (\$100.00).

9.2003 APPLICABILITY OF SECTION

This section specifically applies to any and all railway crossings where said railway crosses any street or public highway or thoroughfare within the city limits of the City of Round Rock, Texas.

9.2004 SEPARATE VIOLATIONS

Each separate five (5) minute period above and after the initial period of five (5) minutes will constitute a separate violation of this section and shall be deemed a separate offense.

(Ordinance No. 281 of June 22, 1976, as amended by Ordinance No. 755 of August 14, 1980)

**SECTION 9.2100 ABANDONED AND JUNKED VEHICLES;  
OTHER ABANDONED PROPERTY**

9.2101 ABANDONED MOTOR VEHICLES

(1) Abandoned Motor Vehicle Provisions Adopted; Definition

The provisions of Subchapters A through D of Chapter 683 of the Texas Transportation Code, V.T.C.A., as now enacted or as hereafter amended, and the provisions of this Subsection, are hereby adopted to establish a comprehensive and uniform procedure for the impounding, storage, use and sale of abandoned motor vehicles, watercraft and outboard motors within the City.

(a) City Manager to Establish Administrative Procedures

The city manager is authorized to provide for the impounding, storage and disposition of abandoned motor vehicles, watercraft and outboard motors and shall establish such administrative procedures as he deems necessary for the securing of proof of abandonment, collection of fees, distribution of proceeds of sale or reclamation, giving of notices, and impounding and



sale of abandoned motor vehicles, watercraft and outboard motors, consistent with this subsection and state law.

(b) Abandoned Motor Vehicle Defined

As used in this subsection, the term “abandoned motor vehicle” means a motor vehicle that (i) is inoperable, is more than five (5) years old, and has been left unattended on public property for more than forty-eight (48) hours; (ii) has remained illegally on public property for more than forty-eight (48) hours; (iii) has remained on private property without the consent of the owner or person in control of the property for more than forty-eight (48) hours; (iv) has been left unattended on the right-of-way of a designated county, state or federal highway for more than forty-eight (48) hours; or (v) has been left unattended for more than twenty-four (24) hours on the right-of-way of a turnpike project constructed and maintained by the Texas Turnpike Authority or a controlled access highway.

(c) Authority to Take Abandoned Motor Vehicle Into Custody

The police department of the City may take into custody an abandoned motor vehicle, watercraft or outboard motor found on public or private property.

(d) Notice

- (i) After taking into custody an abandoned motor vehicle, watercraft or outboard motor, the police department shall send written notice of abandonment to: 1) the last known registered owner of each motor vehicle, watercraft or outboard motor taken into custody by the police department or for which a report of abandonment is received from a garage keeper pursuant to Section 683.031, Texas Transportation Code; and 2) each lienholder of the motor vehicle recorded under Chapter 501, Texas Transportation Code, V.T.C.A. or each lienholder of the watercraft or outboard motor recorded under Chapter 31, Parks and Wildlife Code. The notice of abandonment must: 1) be sent by certified mail not later than the tenth (10th) day after the police department takes the abandoned motor vehicle, watercraft or outboard motor into custody or receives the report of abandonment from a garage keeper pursuant to Section 683.031, Texas Transportation Code; 2) specify the year, make, model and identification number of the item; 3) state the location of the facility where the item is being held; 4) inform the owner and lienholder of the right to claim the item not later than the twentieth (20th) day after the date of the notice on payment of towing, preservation, storage charges, and garage keeper’s charges and fees; and 5) state that the failure of the owner or lienholder to timely claim the item is a waiver by that person of all right, title and interest in the item and constitutes consent to the sale of the item at a public auction.

- (ii) The police department may publish the notice of abandonment in lieu of sending notice in the manner required by subsection 9.2101(1)(d)(i) if: 1) the identity of the last registered owner cannot be determined; 2) the registration has no address for the owner; or 3) the determination with reasonable certainty of the identity and address of all lienholders is impossible. Such notice of abandonment must be published in a newspaper of general circulation in the area where the motor vehicle, watercraft, or outboard motor was abandoned. The notice of abandonment must: 1) be published not later than the tenth (10th) day after the police department takes the abandoned motor vehicle, watercraft or outboard motor into custody or receives the report of abandonment from a garage keeper pursuant to Section 683.031, Texas Transportation Code; 2) specify the year, make, model and identification number of the item; 3) state the location of the facility where the item is being held; 4) inform the owner and lienholder of the right to claim the item not later than the twentieth (20th) day after the date of the notice on payment of towing, preservation, storage charges, and garage keeper's charges and fees; and 5) state that the failure of the owner or lienholder to timely claim the item is a waiver by that person of all right, title and interest in the item and constitutes consent to the sale of the item at a public auction. The notice of abandonment published pursuant to this subsection may contain a list of more than one abandoned motor vehicle, watercraft or outboard motor.

(2) Fees for Impounding, Storage, Etc. and Disposition of Auction Proceeds

- (a) The following fees shall be charged by and shall be paid to the city police department or the person, if any, engaged by the city to impound and store abandoned motor vehicles, watercraft or outboard motors upon reclamation of an abandoned motor vehicle, watercraft or outboard motor or out of the proceeds of sale of such item if not reclaimed:
  - (i) The towing, preservation, and storage fees incurred and resulting from the taking into custody of the item(s).
  - (ii) All costs incurred and resulting from the notice and publication requirements of this section and state law.
  - (iii) All costs incurred and resulting from the sale of the item(s) at a public auction.
- (b) In addition to the above charges, when the abandoned motor vehicle is one impounded at a storage facility operated by a garage keeper for commercial purposes, the garage keeper has a valid claim for servicing, storage or repair of such vehicle. Such charges shall be paid to the garage

keeper by the person reclaiming the motor vehicle before the motor vehicle is released by the police department. In the event the motor vehicle is not reclaimed, the proceeds of the sale shall be first applied to the garage keeper's charges.

- (c) After deducting the charges provided for in (a) and (b) above, the police department shall hold the proceeds of the sale for the owner or lienholder for a period of ninety (90) days. Upon the expiration of the ninety (90) day holding period, proceeds unclaimed by the owner or lienholder shall be deposited in an account that may be used for the payment of auction, towing, preservation, storage, and notice and publication fees resulting from taking other motor vehicles, watercraft or outboard motors into custody if the proceeds from the sale of the other items are insufficient to pay those fees. Funds in this account in excess of one thousand dollars and no cents (\$1,000.00) may be transferred to the City's general revenue account for use by the police department.

(3) Notice of Sale of Abandoned  
Motor Vehicles at Public Auction

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Any motor vehicle, watercraft or outboard motor not claimed as provided by law may be sold at public auction in the manner provided by section 683.014, Texas Transportation Code, V.T.C.A., as hereafter amended, or the police department may use the item for departmental purposes. Before selling a motor vehicle, watercraft or outboard motor, the police department shall post two (2) notices of sale, one (1) at the county courthouse and one (1) at the Main Street entrance of city hall, and shall cause a copy thereof to be published in the official newspaper of the city once a week for two (2) consecutive weeks, the date of the first publication to be at least fourteen (14) days prior to the date of sale. The notice shall describe the impounded motor vehicle, watercraft or outboard motor to be sold by year, make and model, state that same is unclaimed and is being sold at public auction pursuant to state law, and state the time, date, place and manner of sale. The notice shall further state that the purchaser of the motor vehicle, watercraft or outboard motor shall take title free and clear of all liens and claims of ownership, shall receive a sales receipt from the police department, and is entitled to register the motor vehicle, watercraft or outboard motor and receive a certificate of title. Such notice may contain multiple listings of abandoned motor vehicles, watercraft and outboard motors. A garage keeper who has a garage keeper's lien on an abandoned motor vehicle, watercraft or outboard motor to be sold at a public auction shall be notified by the police department of the time and place of the auction. Failure to give the notice required by this subsection, in whole or part, shall not affect the sale of such motor vehicle, watercraft or outboard motor, it being the intention of the city council that following the above procedures for giving notice of the sale shall not be a condition of the sale but merely a means of advertising the sale to potential bidders.

(4) Record Book of Impounded Motor Vehicles

The police department, or its delegate, shall keep a record book which shall contain a description by year, make and model of all motor vehicles, watercraft and outboard motors impounded; the date and time of such impounding; the date notices of abandonment advertised or mailed to lienholders and owners or record and the return receipts therefrom; the date the motor vehicle, watercraft or outboard motor was reclaimed or sold; the amount realized for each motor vehicle, watercraft or outboard motor at such sale; the amount of fees to which the impounder is entitled pursuant to this subsection; the name and address of the owners and lienholders, if known; the name and address of the buyer; the name and address of the garage keeper, if any entitled to recover his charges for servicing, storage or repair of the motor vehicle upon reclamation or sale and the amount of his charges; and any other information the city manager may deem necessary.

(5) Visible Notice of Abandonment; Prima Facie Evidence

At least forty-eight (48) hours prior to impounding any motor vehicle, watercraft or outboard motor, as abandoned, whether on public or private property, a police officer of the city shall securely affix a visible, dated, brightly colored notice of abandonment to such motor vehicle, watercraft or outboard motor and a record of the date and time such notice was affixed shall be maintained by the chief of police or his delegate. In the event the motor vehicle, watercraft or outboard motor is subsequently impounded as abandoned, proof that the motor vehicle, watercraft or outboard motor was not removed from the public or private property after the visible notice of abandonment was attached thereto shall be prima facie proof in any court that: (i) such motor vehicle, watercraft or outboard motor was left unattended and abandoned for the period of time between the affixing of the notice and the impounding of the motor vehicle, watercraft or outboard motor; and (ii) that the owner of such motor vehicle, watercraft or outboard motor caused, allowed, suffered and permitted the motor vehicle, watercraft or outboard motor to remain at the place where such motor vehicle, watercraft or outboard motor was impounded for the period of time between the affixing of the notice and the impounding of the motor vehicle, watercraft or outboard motor.

(6) Unlawful to Interfere With Impounding

It shall be unlawful for any person to knowingly or intentionally interfere with or attempt to prevent the physical impounding of any abandoned motor vehicle, watercraft or outboard motor by the police department or its delegate pursuant to the provisions of this subsection.

(Ordinance No. G-96-03-28-12G of March 28, 1996 as amended by Ordinance No. G-01-09-27-14B2 of September 27, 2001)

## 9.2102 ABANDONED PROPERTY OTHER THAN MOTOR VEHICLES

### (1) Declared a Nuisance; Duty of Police to Impound; Notification of Impoundment

- (a) Any personal property, other than a motor vehicle, which is placed, left standing, parked, erected or lying in violation of any ordinance, the charter of the city or any state law; or left unattended for more than forty-eight (48) continuous hours in or on any public street, alley, sidewalk, public property or public place in the city; or which is placed, left standing, parked, erected or lying in or on any public street, alley or sidewalk in such a manner as to substantially interfere with, obstruct or constitute a barrier to vehicular or pedestrian traffic, is declared a public nuisance, and any such property when so found by the police officers of the city shall be removed or caused to be removed summarily to the police pound or any other place of impoundment designated by the city manager.
- (b) Trash receptacles placed in compliance with city ordinance and newspaper and magazine vending machines on public sidewalks shall not be deemed obstructions under this subsection.
- (c) Within ten (10) days after any personal property is impounded under this subsection, the impounder shall notify the owner of such property and all lienholders, if their names and addresses be known, that such property has been impounded.

### (2) Lien on Impounded Property

A lien for all costs incurred in the impounding, storing and advertising for sale of personal property pursuant to this subsection shall exist and inure to the benefit of the person actually impounding such property. Such lien shall be prior and superior to all other liens of every kind, save and except liens for ad valorem taxes, and the impounder may retain possession of such property until all costs are paid and may sell the same as provided in this subsection.

### (3) Redemption of Impounded Property

The owner or any person legally entitled to possession of any impounded personal property as provided for in this subsection may redeem the same as follows:

#### (a) Before Sale

By paying to the impounder, before sale, the applicable fees set out in subsection 9.2102(8).

#### (b) After Sale

By paying to the buyer at the sale double the amount paid by him for such personal property, and any reasonable expenses incurred by him for keeping the same; provided, that the property shall be redeemed from the

buyer within thirty (30) days after the date of the sale, excluding the date of sale; otherwise title to the property shall become absolute in the buyer.

(4) When Impounded Property to Be Sold

When any personal property, other than motor vehicles, is not redeemed within thirty (30) days after being impounded, the same may be sold in the manner designated by the city manager.

(5) Notice of Sale of Impounded Property

Before selling any personal property as provided for in this subsection, the impounder shall post two (2) notices thereof, one (1) at the county courthouse door and one (1) at the Main Street entrance of the city hall, and shall cause a copy thereof to be published in the official newspaper published in the city once a week for two (2) consecutive weeks, the date of the first publication to be at least fourteen (14) days prior to the day of the sale. The notice of sale shall describe the impounded property, state that the same is unredeemed, state that the same will be sold, designate the place of sale, the manner of sale, and state a time and date of sale which shall not be less than fourteen (14) days from the date of the first posting of such notices.

(6) Procedure for Selling Impounded Property

When any impounded property is not redeemed by the date and time designated in the notice of sale, the impounder shall sell such property in the manner designated by the city manager, and execute a bill of sale of such property to the purchaser thereof; provided, that he shall not execute or deliver any but a conditional bill of sale until the title of the buyer has become absolute by an expiration of thirty (30) days in time, exclusive of the day of sale, without being redeemed by the owner of the impounded property.

(7) Disposition of Proceeds of Sale of Impounded Property

After deducting the fees to which the impounder is entitled pursuant to subsection 9.2101(8) below, the impounder shall hold the balance of the proceeds of such sale, if any, to pay the same to the owner of the property. If the owner fails to call for such proceeds within thirty (30) days, they shall belong to the impounder.

(8) Fees for Impounding, Storage, Etc.

The following fees shall be charged and shall be paid to the impounder:

- (a) For the taking and impounding of any personal property, the actual expenses incurred by the impounder in impounding the property, plus \$2.00, but in no event less than \$4.00.
- (b) Storage fee, including storage for all or part of the first twenty-four (24) hours, \$1.00 per twenty-four hour period or portion thereof.

- (c) For preparing notices of sale of each article, including newspaper advertisement, \$1.00.
- (d) For selling each article, \$1.00.
- (e) For posting notices of sale for each article, \$1.00.
- (f) For newspaper advertisement, the actual publication costs incurred.

### 9.2103 JUNKED VEHICLES

#### (1) Definitions

As used in this subsection, the following words and phrases shall have the meaning ascribed below, except where the context in which the word or phrase is used clearly indicates a different meaning is intended:

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Antique Vehicle means a passenger car or truck that is at least twenty-five (25) years old.

Chief of Police means the chief of police of the City of Round Rock or any duly commissioned police officer of the City of Round Rock.

Junked Vehicle means a motor vehicle that is self-propelled and:

- (a) does not have lawfully attached to it:
  - (i) an unexpired license plate; or
  - (ii) a valid motor vehicle inspection certificate; and
- (b) is:
  - (i) wrecked, dismantled or partially dismantled, or discarded; or
  - (ii) inoperable and has remained inoperable for more than:
    - (A) 72 consecutive hours, if the vehicle is on public property; or
    - (B) 30 consecutive days, if the vehicle is on private property.

The term “junked vehicle” does not include (a) a vehicle or part thereof which is completely enclosed within a building in a lawful manner where it is not visible from the street or other public or private property, (b) a vehicle or part thereof which is stored or parked in a lawful manner on private property in connection with the business of a licensed vehicle dealer or junkyard, or (c) an unlicensed, operable or inoperable antique and special interest vehicle stored by a collector on his property, provided that the vehicle and the outdoor storage area are maintained in such a manner that they do not constitute a health hazard and are screened from ordinary public view by means of a fence, rapidly growing trees, shrubbery or other appropriate means.

Motor Vehicle Collector means a person who (a) owns one or more antique or special interest vehicles; and (b) acquires, collects, or disposes of an antique or special interest vehicle or part of an antique or special interest vehicle for personal use to restore and preserve an antique or special interest vehicle for historic interest.

Special Interest Vehicle means a motor vehicle of any age that has not been changed from original manufacturer's specifications and, because of its historic interest, is being preserved by a hobbyist.

(2) Junked Vehicles Declared a Public Nuisance;  
Duty of Property Owners; Unlawful to Interfere With Impounding

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- (a) Junked vehicles are detrimental to the safety and welfare of the general public, tending to reduce the value of private property, to invite vandalism, to create fire hazards, to constitute an attractive nuisance creating a hazard to the health and safety of minors, and are detrimental to the economic welfare of the city and state by producing urban blight which is adverse to the maintenance and continuing development of the City of Round Rock, and such vehicles are declared to be a public nuisance and subject to abatement as set out hereunder.
- (b) The owner or occupant of any real property within the City of Round Rock shall keep such property free of and shall not permit or suffer the presence of junked vehicles on such property.
- (c) It shall be unlawful for any person to knowingly or intentionally interfere with or attempt to prevent the physical impounding of any junked vehicle by the chief of police or his delegate pursuant to this subsection.

(3) Notice to Owner to Abate Nuisance - When on Occupied Premises

- (a) Whenever any such junked vehicle is located on occupied premises within the city in violation of paragraph 2(b), above, the chief of police shall order the owner of the premises, if in possession thereof, or the occupant of the premises whereon such public nuisance exists, to abate or remove the same. Such order shall:
  - (i) Be in writing.
  - (ii) State the nature of the public nuisance and that it must be removed and abated within ten (10) days after the date of mailing or personal delivery of notice.
  - (iii) State that a request for a hearing to determine whether or not the motor vehicle is a junked motor vehicle as defined herein must be made to the clerk of the municipal court, either in person or in writing and without the requirement of bond, before expiration of said ten (10) day period.



- (iv) State that in the event that no request for a hearing is received before the expiration of said ten (10) day period it shall be conclusively presumed that said vehicle is a junked vehicle as defined under state law and this subsection.

The order must be personally delivered or mailed, by certified mail with a five (5) day return requested, to the last known registered owner of the junked motor vehicle, any lien holder of record, and to the owner or occupant of the premises on which the public nuisance exists. If the post office address of the last known registered owner of the junked motor vehicle is unknown, notice to the last known registered owner may be placed on the motor vehicle, or, if the last known registered owner is physically located, the notice may be personally delivered. If any notice is returned undelivered by the United States Post Office, official action to abate the nuisance shall be continued to a date not earlier than the eleventh (11<sup>th</sup>) day after the date of the return.

- (b) If the owner or occupant of the premises does not request a public hearing and either fails or refuses to comply with the order of the chief of police within the ten (10) day period after service thereof, as provided herein, the chief of police or his delegate shall take possession of such junked motor vehicle and remove it from the premises upon the issuance of an appropriate order of the judge of the municipal court.

(4) Notice to Owner to Abate Nuisance -  
When on Unoccupied Premises or on Public Property or Public Right-of-way

- (a) Whenever any such junked vehicle is located on unoccupied premises within the city in violation of paragraph 2(b) of this subsection, the chief of police shall order the owner of the premises, as shown on the current tax rolls of the city whereon such public nuisance exists, to abate or remove the same. Such order shall contain the same information as for the order required under paragraph (3)(a)(i)-(iv) of this subsection.

The order must be personally delivered or mailed, by certified mail with a five (5) day return requested, to the last known registered owner of the junked motor vehicle, any lien holder of record, and to the owner of the premises, as shown on the city tax rolls, on which the public nuisance exists. If the post office address of the last known registered owner of the junked motor vehicle is unknown, notice to the last known registered owner may be placed on the motor vehicle, or, if the last known registered owner is physically located, the notice may be personally delivered. If any notice is returned undelivered by the United States Post Office, official action to abate the nuisance shall be continued to a date not earlier than the eleventh (11<sup>th</sup>) day after the date of the return.

- (b) If the owner of the premises does not request a public hearing and either fails or refuses to comply with the order of the chief of police within the ten (10) day period after service thereof, as provided herein, the chief of

police or his delegate shall take possession of such junked motor vehicle and remove it from the premises upon the issuance of an appropriate order of the judge of the municipal court.

- (c) Whenever any such junked vehicle is located on public property or on a public right-of-way within the city in violation of paragraph (2)(b), the chief of police shall order the owner or occupant of the public premises or the owner or occupant of the premises adjacent to the public right-of-way whereupon said public nuisance exists, to abate or remove the same. Such order shall contain the same information as for the order required under paragraphs (3)(a)(i)-(iv) and (4)(a) of this subsection.

The order must be personally delivered or mailed, by certified mail with a five (5) day return requested, to the last known registered owner of the junked motor vehicle, any lien holder of records, and to the owner or occupant of the public premises or to the owner or occupant of the premises adjacent to public right-of-way on which the public nuisance exists. If the post office address of the last known registered owner of the junked motor vehicle is unknown, notice to the last known registered owner may be placed on the motor vehicle, or, if the last known registered owner is physically located, the notice may be personally delivered. If any notice is returned undelivered by the United States Post Office, official action to abate the nuisance shall be continued to date not earlier than the eleventh (11<sup>th</sup>) day after the date of the return.

(5) Visible Notice to Abate Nuisance

- (a) At the time a junked vehicle is located by the chief of police on either occupied or unoccupied private or public property or public right-of-way, in addition to any other notices required herein, a visible notice, brightly colored but of a color different from that used for notices of abandonment, subsection 9.2101(5) of this section, shall be securely affixed to such vehicle. Such notice shall:
  - (i) State that the vehicle is a public nuisance and that it must be removed and abated within ten (10) days from the date on such notice.
  - (ii) State that a request for a hearing to determine whether or not the motor vehicle is a junked motor vehicle as defined herein must be made to the clerk of the municipal court, either in person or in writing and without the requirement of bond, before the expiration of said ten (10) day period.
  - (iii) Shall state that in the event that no request for a hearing is received before the expiration of said ten (10) day period, it shall be conclusively presumed that said vehicle is a junked vehicle as defined under state law and this subsection.
  - (iv) Shall state the date it was affixed.

- (b) Affixing the notice set out herein shall not be a condition or requirement precedent to any proceeding or official action to abate such public nuisance and such proceeding or action shall not be rendered void or voidable nor in any way affected by failure to affix the visible notice prescribed herein.
- (c) In the event the ten (10) day period set out on the visible notice is different from that prescribed in any other notice served as provided for herein, then official action or proceedings to abate such public nuisance shall not be commenced until after the expiration of both periods of time.

(6) Public Hearing; Finding and Orders of Judge

- (a) The owner or occupant of any premises on which a junked vehicle is located may, within ten (10) days after service of a notice to abate said nuisance, request of the clerk of the municipal court of the city, either in person or in writing, and without the requirement of the bond, that a date and a time be set when he may appear before the judge of the municipal court for a hearing to determine whether or not the motor vehicle is a junked motor vehicle.
- (b) The judge of the municipal court shall hear any case brought before such court, as set out herein, and shall determine by a preponderance of the evidence whether or not the motor vehicle is a junked motor vehicle and in violation of this subsection. At the hearing, the motor vehicle is presumed, unless demonstrated otherwise by the owner, to be inoperable. Such hearing shall not be criminal in nature and shall be as summary as due process and orderly procedure allows. Rules of evidence as in civil suits shall be followed. Upon finding that such motor vehicle is in violation of this subsection, the judge of such court shall order such defendant to remove and abate such nuisance within ten (10) days, the same being a reasonable time. If the defendant shall fail and refuse, within such ten (10) days, to abate or remove the nuisance, the judge of the municipal court may issue an order directing the chief of police to have the same removed, and the chief of police or his delegate shall take possession of such junked motor vehicle and remove it from the premises. Such order shall include a description of the vehicle, and the current identification number and license number of the vehicle, if available at the site.
- (c) Notice of any hearing set under this subsection shall be delivered to the chief of police.
- (d) The relocation of a junked vehicle that is a public nuisance to another location within the territorial limits of the City of Round Rock, Texas after a proceeding for the abatement and removal of the public nuisance has commenced has no effect of the proceeding if the junked vehicle constitutes a public nuisance at the new location.

(7) Abatement Under Court Order

If there is a junked motor vehicle, as herein defined, on premises that are occupied or unoccupied, and (a) neither the owner nor the occupant of the premises can be found and notified to remove same, or, (b) the notice required by paragraphs (3) or (4) of this subsection is returned undelivered by the U.S. Post Office and ten (10) days after the return of such notice the nuisance has not been abated, then upon a showing of such facts to the judge of the municipal court, the court may issue an order directing the chief of police to have the same removed, and the chief of police or his delegate shall take possession of such junked motor vehicle and remove it from the premises.

(8) Notice to Texas Department of Transportation

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Notice shall be given to the Texas Department of Transportation that a junked vehicle has been impounded within five (5) days after the removal of the junked motor vehicle as provided in this subsection, identifying the vehicle or part thereof impounded.

(9) Disposition of Impounded Junked Vehicles

The chief of police or his delegate shall dispose of all impounded junked vehicles in such manner as the city manager may designate, consistent with state law, provided such vehicle shall not be reconstructed or made operable. Disposal may be by removal or sale, with or without competitive bidding, to a scrap yard or demolisher.

(Ordinance No. 524 of February 9, 1978, as amended by Ordinance No. 755 of August 14, 1980, and Ordinance adopting 1990 Edition of Code of Ordinances, Ordinance No. G-96-05-23-13C of May 23, 1996, and Ordinance No. G-01-09-27-14B2 of September 27, 2001)

## **SECTION 9.2200 SOLICITATION ON PUBLIC RIGHTS-OF-WAY**

### **9.2201 FINDINGS AND PURPOSE FOR PROHIBITING SOLICITATIONS FROM OCCUPANTS IN VEHICLES OR PEDESTRIANS**

The activity of soliciting employment, business or contributions from occupants of vehicles distracts drivers from their primary duties to watch traffic and to avoid potential hazards in the roadway, including pedestrians, to observe all traffic control signals or warnings, and to prepare to move through the City's streets and intersections.

The practice of soliciting employment, business or contributions from occupants of vehicles impedes the flow of traffic on the streets within the City, results in the delay and obstruction of the public's free flow of travel, and results in congestion and blockage of the streets, driveways to parking areas, and sidewalks when persons approach vehicles to negotiate with the occupants.

Distracted drivers are more prone to automobile accidents which constitute a substantial traffic safety problem which impedes and prevents the orderly flow of traffic, and is unsafe for the person engaging in the solicitation, pedestrian traffic, and the traffic in general.

The City Council of the City of Round Rock does hereby adopt the following regulations to hereafter control such traffic hazards, in order to provide for the safe, orderly flow of traffic, improve the safety for those drivers traveling the roadways within the corporate limits and improve pedestrian safety, especially children's safety, along the City's streets.

### **9.2202 DEFINITIONS** When used in this Section, the following words and terms shall have the following meaning:

- (1) Arterial Roadway shall mean those roadways designated as such by the Transportation Master Plan.
- (2) Cause shall mean aid, direct, hire, encourage, permit or allow.
- (3) Chief of Police shall mean the Chief of Police of the City of Round Rock, Texas or his designee.
- (4) Curb shall mean the lateral lines of a roadway, whether constructed above grade or not, which are not intended for vehicular travel.
- (5) Improved Shoulder shall mean a paved shoulder.
- (6) Police Department shall mean the Round Rock Police Department.
- (7) Public Right-of-Way shall mean:
  - (a) That real property owned by a governmental entity or owned by a non-governmental entity or person and dedicated to public use;

- (b) Including but not limited to sidewalks, medians, curbs, shoulders, improved shoulders, walkways, paths and any other area so owned, dedicated, used or reserved for public use, including but not limited to use by vehicles, pedestrians and public utilities; and
  - (c) That is in the area extending from the right and left of the center line of a public street, roadway or highway to the nearest property line which marks the juncture of private property and public right-of-way.
- (8) Roadway shall mean that portion of the public street that is improved, designed or ordinarily used for vehicular travel, exclusive of the curb, berm or shoulder. In the event that a public street includes two (2) or more separate roadways, "roadway" shall mean each roadway separately.
- (9) Shoulder shall mean the portion of a highway that is:
  - (a) adjacent to the roadway;
  - (b) designed or ordinarily used for parking;
  - (c) distinguished from the roadway by different design, construction, or marking; and
  - (d) not intended for normal vehicular travel.
- (10) Sidewalk shall mean that improved surface which is between the curblines, or lateral line of a roadway, and the adjacent property line, and is designed, intended or ordinarily used for pedestrian travel.
- (11) Street or highway shall mean the entire width between the public right-of-way lines, including but not limited to frontage roadways, of every way publicly maintained when any part thereof is open to the use of the public for purposes of vehicular travel.
- (12) Traffic median shall mean a paved or planted area of public right-of-way dividing a street or highway into lanes according to the direction of travel and shall be held to include the curb, if any, at the outer edge of said area.
- (13) Vehicle or motor vehicle shall mean a device that can be used to transport or draw persons or property on a highway (or "have the same meaning as defined under Section 541.201 of the Texas Code of Transportation as may be amended from time to time.")

9.2203 PROHIBITION OF SOLICITING ON INTERSTATE HIGHWAYS, STATE HIGHWAYS, FARM-TO-MARKET ROADS, OR ARTERIAL ROADWAYS

A person commits an offense if he or she promotes, advertises, sells, distributes, or solicits financial assistance, employment, transportation, donations, money, goods or any other service, property or product:

- (1) Upon or within the public right-of-way of an interstate highway, state highway, farm-to-market road or any arterial roadway; or
- (2) Upon or within the public right-of-way within two hundred fifty (250) feet of an intersection of a street or roadway crossing of such interstate highway, state highway, farm-to-market road, or arterial roadway.

#### 9.2204 CAUSING A CHILD TO SOLICIT

It shall be unlawful for a person to knowingly cause a child twelve (12) years of age or younger to stop, stand, sit, walk upon or occupy any portion of a public right-of-way for the purpose of promoting, advertising, selling, distributing, or soliciting financial assistance, employment, transportation, donations, money, goods or any other service, property or product to or from occupants of motor vehicles or pedestrians.

#### 9.2205 NO SOLICITING NEAR PUBLIC OR PRIVATE SCHOOLS

\_\_\_\_\_ A person commits an offense if he or she solicits in the public right-of-way that is within one thousand (1,000) feet of any public or private elementary or secondary school between the hours of 7:30 a.m. and 4:30 p.m. on days when such school is in session. The measurement of the distance shall be from the nearest property line of the public or private elementary or secondary school.

#### 9.2206 COMPLIANCE WITH OTHER LAWS

This Section does not relieve responsibility for compliance with Texas Transportation Code, Chapter 552, Pedestrians, or any other statute or ordinance that may be applicable.

(Ordinance No. G-03-09-25-13A1 of September 25, 2003)

### **SECTION 9.2300 MOTOR VEHICLE IDLING**

#### 9.2301 DEFINITIONS

When used in this Section, the following words, terms and phrases shall have the meanings ascribed to them in this Section, except where the context clearly indicates a different meaning:

- (1) Commercial Passenger Transportation - mode of transportation provided by a bus or motorcoach designed to accommodate more than ten (10) passengers, including the operator, for compensation, and that is powered by a primary propulsion engine and does not include railroad, light rail or taxicabs.

- (2) Idle - The operation of an engine in the operating mode where the engine is not engage in gear, where the engine operates at a speed at the revolutions per minute specified by the engine or vehicle manufacturer for when the accelerator is fully released, and there is no load on the engine.
- (3) Mechanical Operations - Use of electrical tools or equipment in construction, maintenance, or repair of facilities.
- (4) Passenger Transit Operations - regional mode of public transportation that is funded through a portion of sales tax for such region being served.
- (5) Primary Propulsion Engine - A gasoline or diesel-fueled internal combustion engine attached to a motor vehicle that provides the power to propel the motor vehicle into motion and maintain motion.

#### 9.2302 APPLICABILITY

This article applies during the period of April 1 through October 31 of each year.

#### 9.2303 IDLING PROHIBITED

No person shall cause, suffer, allow, or permit the primary propulsion engine of a motor vehicle to idle for more than five (5) consecutive minutes when the motor vehicle is not in motion.

#### 9.2304 AFFIRMATIVE DEFENSES

- (1) The following constitute affirmative defenses to prosecution under this ordinance:
  - (a) the motor vehicle has a gross vehicle weight rating of 14,000 pounds or less;
  - (b) the motor vehicle is/was forced to remain motionless because of traffic conditions over which the operator has no control;
  - (c) the motor vehicle being used by the United States military, national guard, or reserve forces, or as an emergency or law enforcement motor vehicle;
  - (d) the primary propulsion engine of the motor vehicle provides a power source necessary for mechanical operation, not including (i) propulsion and (ii) passenger compartment heating or air conditioning.
  - (e) the primary propulsion engine of the motor vehicle is being operated for maintenance or diagnostic purposes;



- (f) the primary propulsion engine of a motor vehicle is being operated solely to defrost a windshield;
- (g) the primary propulsion engine of a motor vehicle is being used to supply heat or air conditioning necessary for passenger comfort/safety in those motor vehicles intended for commercial passenger transportation or school buses in which case idling up to a maximum of thirty (30) minutes is allowed;
- (h) the primary propulsion engine of a motor vehicle is used for passenger transit operations in which case idling up to a maximum of thirty (30) minutes is allowed; or
- (i) the primary propulsion engine of a motor vehicle is being used as airport ground support equipment.

(2) Burden of Proof

For any violation of Section 9.2300, the person seeking to establish an affirmative defense shall have the burden of proving by a preponderance of the evidence that an event that would otherwise be a violation of this idling ordinance was caused by one of the affirmative defenses allowed in Section 9.2304(1).

9.2305 PENALTY

- \_\_\_\_\_ (1) An offense under this Section is a Class C misdemeanor, punishable by a fine not to exceed Five Hundred Dollars (\$500.00).
- (2) Prosecution of an offense under this Section does not preclude other enforcement remedies that may be available to the City.
- (3) Proof of a culpable mental state is not required for a conviction of an offense under this Section.
- (4) Each instance of a violation of this Section is a separate offense.

(Ordinance No. G-05-11-22-8A1 of November 22, 2005)

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**SECTION 9.2400      AUTOMATED RED LIGHT ENFORCEMENT****9.2401 DEFINITIONS**

The following words and phrases when used in this chapter shall, for the purpose of this chapter, have the meanings respectively ascribed to them in this Section, except when the context otherwise requires. Whenever any words and phrases used herein are not defined herein but are defined in the state laws regulating the operation of vehicles, any such definition therein shall be deemed to apply to such words and phrases used herein, except when the context otherwise requires.

- (1)     Department—The Police Department of the City of Round Rock or its designated agent.
- (2)     Motor Vehicle or Vehicle—Any vehicle subject to registration pursuant to the Texas Certificate of Title Act (Chapter 501 of the Texas Transportation Code).
- (3)     Notice of Violation—A notice mailed to a person identified as having violated this Section and that complies with the content requirements set out in Section 9.2403(4). A notice of violation is not a criminal citation.
- (4)     Owner—The owner of a motor vehicle as shown on the motor vehicle registration records of the Texas Department of Transportation or the analogous department or agency of another state or country. The term includes (i) a lessee of a motor vehicle under a lease of 6 months or more; or (ii) the lessee of a motor vehicle rented or leased from a motor vehicle rental or leasing company, but does not include the motor vehicle rental or leasing company itself.
- (5)     Photographic Traffic Monitoring System—A system that consists of a camera and vehicle sensor installed to work in conjunction with an electronically operated traffic-control signal and that is capable of producing at least 2 recorded images of the license plate attached to the front or rear of a motor vehicle not operated in compliance with the instructions of the traffic-control signal.
- (6)     Recorded Image—An image recorded by a photographic monitoring system which depicts the front or rear of a motor vehicle and is automatically recorded on a photograph or digital image.
- (7)     Traffic Control Signal—A traffic-control device that displays alternating red, amber, and green lights that directs traffic when to stop at or proceed through an intersection.

**9.2402 OFFENSE**

- (1)     The City has found and determined that that the creation of dangerous intersections by motorists running red lights is a serious public safety concern. When a vehicle proceeds into an intersection when the traffic control signal for that vehicle's direction of travel is emitting a steady red signal the public safety of vehicle operators and pedestrians alike is implicated, the efficiency of traffic

control and traffic flow efforts are reduced, and the number of serious accidents to which public safety agencies must respond at the expense of the taxpayers is increased.

An offense under this section occurs when a motor vehicle to proceed into an intersection when the traffic control signal for that vehicle's direction of travel is emitting a steady red signal. The owner of the motor vehicle is liable for a violation of this Section.

- (2) The penalty for committing an offense under this Section is a non-criminal violation for which a civil penalty will be assessed. The imposition of a civil penalty under this Section is not a conviction and may not be considered a conviction for any purpose.
- (3) The civil penalty for which the owner is liable is \$75.00. The civil penalty is \$75.00 for the 3<sup>rd</sup> and all subsequent violations within a 12-month period.
- (4) A person who fails to pay a civil penalty within the time in this Section is additionally liable for a late-payment fee of \$25.00.

9.2403 ADMINISTRATION AND ENFORCEMENT OF PHOTOGRAPHIC TRAFFIC MONITORING SYSTEM

- (1) The Department is responsible for the enforcement and administration of this Section.
- (2) All enforcement records, including a recorded image resulting from a photographic traffic enforcement system are confidential to the extent allowed by state law.
- (3) To impose a civil penalty under this Section, the Department must mail or cause to be mailed a notice of violation to the owner of the motor vehicle liable for the civil penalty within 30 days of the date that the violation is alleged to have occurred. The notice of violation will be mailed to:
  - (a) The owner's address as shown on the registration records of the Texas Department of Transportation; or
  - (b) If the vehicle is registered in another state or country, the owner's address as shown on the motor vehicle registration records of the department or agency of the other state or country analogous to the Texas Department of Transportation.
- (4) A notice of violation must contain the following information:
  - (a) A description of the violation alleged;
  - (b) The location where the violation occurred;
  - (c) The date and time of the violation;

- (d) The name and address of the owner of the vehicle involved in the violation;
- (e) The license plate number displayed on the license plate of the vehicle involved in the violation;
- (f) A copy of a recorded image of the vehicle involved in the violation showing the license plate number;
- (g) The amount of the civil penalty imposed for the violation;
- (h) The date by which the civil penalty must be paid;
- (i) A statement that a recorded image is evidence in a proceeding for the imposition of a civil penalty;
- (j) Information explaining to the person:
  - (i) The right to contest the imposition of the civil penalty in an administrative adjudication;
  - (ii) The manner and time in which the civil penalty may be contested;
  - (iii) Failure to pay the civil penalty or contest liability in a timely manner is an admission of liability;
  - (iv) Failure to appear at a requested administrative hearing is an admission of liability and constitutes a waiver of the right to appeal under subsection 9.2405;
  - (v) Failure to pay the civil penalty in a timely manner may result in the imposition of a late payment fee of \$25.00.
  - (vi) A finding of liability in an administrative hearing or the failure to appear at a scheduled administrative hearing will result in the imposition of an additional \$50.00 administrative hearing fee.
- (k) A statement that if at the time and place of the violation the vehicle was being operated by a person other than the owner, the owner may transfer liability for the violation to the person who was operating the vehicle at that time and place if the owner submits to the Department by either verifiable affidavit on a form provided by the Department, or under oath at an administrative hearing, the name and current address of the person:
  - (i) Operating the vehicle at the time and place of the violation;
  - (ii) Who was the lessee of the vehicle at the time of the violation if the vehicle was rented or leased from a person in the business of renting or leasing vehicles at that time; or

- (iii) Who was the subsequent owner of the vehicle if ownership of the vehicle was transferred by the owner before the time the violation occurred.
- (l) Any other information the Department deems necessary.
- (5) If it is determined, through affidavit or oath, that the motor vehicle was being operated by a person other than the owner, the Department shall reissue notice of violation to the actual operator with 15 business days of the determination.
- (6) No notice of violation may be issued and no civil penalty may be imposed if the Department determines that the motorist was arrested, was issued a criminal citation and notice to appear, or was issued a warning by a duly authorized peace officer for a violation of section 544.007(d) of the Texas Transportation Code for the same incident recorded by the photographic traffic enforcement system.
- (7) No notice of violation may be issued if the quality of the image captured by the system is so inferior as to prohibit positive identification of the license plate number.
- (8) A notice of violation under this Section is presumed to have been received on the 10th day after the date the notice was mailed. All notices will be mailed U.S. First Class Mail, return receipt requested.
- (9) In lieu of issuing notice of violation, the Department may issue a warning notice to the owner that must contain the information in subsection 9.2403(4).
- (10) The City Attorney is authorized to file suit to enforce collection of a civil penalty and any other fees or penalties assessed under this Section if the person liable fails to remit payment in a timely manner.

#### 9.2404 ADMINISTRATIVE HEARING OFFICER

- (1) The City Manager shall appoint a hearing officer to conduct all administrative adjudications under this Section.
- (2) The hearing officer shall have the authority to administer oaths and issue orders compelling the attendance of witnesses and the production of documents to the extent necessary to fulfill the obligations of that office.
- (3) The hearing officer shall act as a neutral presiding officer who conducts a full, fair, and impartial hearing.
- (4) The hearing officer shall be the exclusive trier of fact in all administrative adjudications under this Section.

9.2405 ADMINISTRATIVE ADJUDICATION HEARING

- (1) A person who receives a notice of violation under this Section may contest the imposition of a civil penalty by requesting in writing an administrative adjudication of the civil penalty within the time provided by the notice. The time provided by the notice may not be less than 15 business days.
- (2) The Department will notify the person of the date and time of the hearing within 10 business days of the receipt of the request for an administrative hearing.
- (3) The administrative adjudication hearing will be held before a hearing officer appointed by the City Manager.
- (4) The civil penalty may not be assessed if:
  - (a) After the hearing, the hearing officer enters a finding of no liability; or
  - (b) Within the time prescribed in the notice of violation, the person against whom the civil penalty is to be assessed submits the proof described in 9.2403(4)(k).
- (5) A person who is found liable after an administrative adjudication hearing or who requests an administrative adjudication hearing and fails to appear at the time and place of the hearing is liable for administrative hearing costs in the amount of \$50.00 in addition to the amount of the civil penalty assessed for the violation
- (6) A person who is found liable after an administrative adjudication hearing or who requests an administrative adjudication and fails to appear at the time and place of the hearing must pay the civil penalty and the costs within 10 business days of the date of the hearing.
- (7) Standard of Proof and Certain Presumptions
  - (a) The standard of proof for the administrative adjudication is by a preponderance of the evidence.
  - (b) The Texas Department of Transportation's computer-generated record of the registered vehicle owner is prima facie evidence of the contents of the record.
  - (c) It is presumed that the registered owner of the vehicle is the person who was operating the vehicle at the time and place of the violation.
  - (d) The reliability of the photographic control signal monitoring system used to produce the recorded image of the violation may be attested to in an administrative adjudication hearing by affidavit of an officer or employee of the City, or the entity with which the City contract to install or operate the system and who is responsible for inspecting and maintaining the system.

- (e) An affidavit of an officer or employee of the City that alleges a violation based on an inspection of the pertinent recorded image is:
  - (i) Admissible in a proceeding under this Section; and
  - (ii) Evidence of the facts contained in the affidavit.
- (8) Notwithstanding anything else in this Section, a person who fails to pay the amount of a civil penalty or to contest liability in a timely manner is entitled to an administrative adjudication hearing on the violation if:
  - (a) The person files an affidavit with the hearing officer attesting to the date on which the person received the notice of violation that was mailed to the person; and
  - (b) Within the same period required for a hearing to be timely requested measured from the date the mailed notice was received as stated in the affidavit, the person request an administrative adjudication hearing.
- (9) Affirmative Defenses

The following, if proved by a preponderance of the evidence, are affirmative defenses to liability under this Section:

- (a) The traffic control signal was not in proper position and sufficiently legible to an ordinarily observant person.
- (b) The operator of the vehicle was acting in compliance with a lawful order or direction of a police officer.
- (c) The operator of the vehicle was part of a funeral procession.
- (d) The operator of the vehicle violated the instructions of the traffic-control signal so as to yield the right-of-way to an immediately approaching authorized emergency vehicle.
- (e) The vehicle was being operated as an authorized emergency vehicle under Chapter 546 of the Texas Transportation Code and the operator was acting in compliance with that chapter.
- (f) The vehicle was stolen and was being operated by someone other than the owner of the vehicle and without the owner's effective consent.
- (g) The license plate depicted in the recorded image of the violation was stolen and being displayed on a vehicle other than the vehicle for which it was issued.
- (h) The vehicle was leased, rented, or otherwise in the care, custody, or control of another person who can be named and or identified.



- (i) The presence of ice, snow, unusual amounts of rain, or other unusually hazardous road conditions existed that made compliance with the instructions of the traffic-control signal more dangerous than non-compliance.
  - (j) The person who received the notice of violation was not the owner of the vehicle at the time of the violation.
  - (k) The owner was arrested, was issued a criminal citation and notice to appear, or was issued a warning by a duly authorized peace officer for a violation of section 544.007(d) of the Texas Transportation Code recorded by the photographic traffic enforcement system.
- (10) Finding of Hearing Officer
- (a) At the conclusion of the administrative adjudication hearing, the hearing officer shall enter a finding of liability for the civil penalty or a finding of no liability for the civil penalty. A finding under this subsection must be in writing and be signed and dated by the hearing officer.
  - (b) A finding of liability for a civil penalty must specify the amount of the civil penalty for which the person is liable. If the hearing officer enters a finding of no liability, a civil penalty for the violation may not be imposed against the person.
  - (c) A finding of liability or a finding of no liability entered under this section may:
    - (1) be filed with the clerk or secretary of the local authority or with a person designated by the governing body of the local authority; and
    - (2) be recorded on microfilm or microfiche or using data processing techniques.

#### 9.2406 APPEALS FROM ADMINISTRATIVE ADJUDICATION HEARING

- (a) The owner of a motor vehicle determined by a hearing officer to be liable for a civil penalty may appeal that determination to a judge by filing an appeal petition with the clerk of the court. The petition must be filed with:
  - (1) a justice court of the county in which the local authority is located; or
  - (2) if the local authority is a municipality, the municipal court of the municipality.
- (b) The petition must be:

- (1) filed before the 31st day after the date on which the administrative adjudication hearing officer entered the finding of liability for the civil penalty; and
  - (2) accompanied by payment of the costs required by law for the court.
- (c) The court clerk shall schedule a hearing and notify the owner of the motor vehicle and the appropriate department, agency, or office of the local authority of the date, time, and place of the hearing.
- (d) An appeal stays enforcement and collection of the civil penalty imposed against the owner of the motor vehicle. The owner shall file a notarized statement of personal financial obligation to perfect the owner's appeal.
- (e) An appeal under this section shall be determined by the court by trial de novo.